

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF)
AMERICA,)
)
Plaintiff,)
)
vs.) CASE NO. 1:16-CV-03088-ELR
)
STATE OF GEORGIA,)
)
Defendant.)

VIDEOTAPED DEPOSITION OF LISA OOSTERVEEN

ALBANY, GEORGIA

THURSDAY, FEBRUARY 23, 2023

REPORTED BY: TANYA L. VERHOVEN-PAGE,
CCR-B-1790

FILE NO. J9301723

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

2

February 23, 2023

9:09 a.m.

Videotaped deposition of
LISA OOSTERVEEN, held at the offices
of Watson Spence, LLP, 320 Residence
Avenue, Albany, Georgia before
Tanya L. Verhoven-Page, Certified Court
Reporter and Notary Public of the State of
Georgia.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

3

APPEARANCES OF COUNSEL

On behalf of the Plaintiff:

U.S. DEPARTMENT OF JUSTICE
CIVIL RIGHTS DIVISION
950 Pennsylvania Avenue
Washington, D.C. 20579
(858) 847-6700

BY: CRYSTAL ADAMS, ESQ.
e-mail: crystaladams@usdoj.gov

BY: FRANCES COHEN, ESQ.
e-mail: francescohen@usdoj.gov

ALSO PRESENT: Sandra LeVert

On behalf of the Defendant:

ROBBINS ALLOY BELINFANTE LITTLEFIELD, LLC
500 14th Street, N.W.
Atlanta, Georgia 30318
(404) 856-3255

BY: MELANIE JOHNSON, ESQ.
e-mail: mjohnson@robbinsfirm.com

BY: DANIELLE HERNANDEZ, ESQ.
e-mail: dhernandez@robbinsfirm.com
(Via Zoom)

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

4

APPEARANCES OF COUNSEL

On behalf of the Witness:

WATSON SPENCE, LLP
320 Residence Avenue
Albany, Georgia 31701
(229) 436-1545

BY: ALFREDA SHEPPARD, ESQ.
e-mail: asheppard@watsonspence.com

ALSO PRESENT: Bob Putnam

THE VIDEOGRAPHER: Bailey Diaz

- - -

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

5

I N D E X

WITNESS: LISA OOSTERVEEN

Examination

Page

BY MS. ADAMS

9

EXHIBITS:

Plaintiff's
(Oosterveen)

Exhibit

Description

Page

Exhibit 781

Apex School List
and Years Entered

15

Exhibit 782

Subpoena to Testify
at a Deposition in a
Civil Action

18

Exhibit 783

Curriculum vitae
for Lis Oosterveen

23

Exhibit 784

State of Georgia
Department of Behavioral
Health and Developmental
Disabilities Contract

142

Exhibit 785

Document bearing Bates
numbers GA03130139
through GA03130141

187

Exhibit 786

Document bearing Bates
numbers ASPIRE001200
through ASPIRE001218

201

Exhibit 787

Document bearing Bates
numbers ASPIRE007437
through ASPIRE007742

221

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

6

EXHIBITS:

Plaintiff's
(Oosterveen)
Exhibit

Description

Page

Exhibit 788

Document bearing Bates
numbers ASPIRE003217
through ASPIRE003233

246

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

7

EXHIBITS:

Previously
marked
Plaintiff's
Exhibit

Description

Page

Exhibit 182

Document bearing Bates
numbers GA03130008
through GA03130073

176

Exhibit 183

Document bearing Bates
number GA03130011

178

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

8

1 ALBANY, GEORGIA; THURSDAY, FEBRUARY 23, 2023

2 9:09 A.M.

3
4 P R O C E E D I N G S

5
6 THE VIDEOGRAPHER: Good morning.

7 We're now on the record. The time is now
8 9:09 a.m. on Thursday, February 23rd,
9 2023.

10 This begins the videotaped
11 deposition of Lisa Oosterveen, taken in
12 the matter of United States of America
13 versus the State of Georgia, filed in the
14 United States District Court for the
15 Northern District of Georgia; the case
16 number of which is 1:16-CV-03088-ELR.

17 The videographer today is Bailey
18 Diaz, and the court reporter is Tanya
19 Page, both representing Esquire
20 Deposition Solutions.

21 Counsel, will you please now state
22 for the record your name and who you
23 represent, after which the court reporter
24 will swear in the witness.

25 MS. ADAMS: Crystal Adams for the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

9

1 United States.

2 MS. COHEN: Fran Cohen for the
3 United States.

4 MS. JOHNSON: Melanie Johnson for
5 the State of Georgia.

6 MS. SHEPPARD: Alfreda Sheppard,
7 that's fine.

8
9 Thereupon --

10 LISA OOSTERVEEN,
11 called as a witness, having been first duly sworn,
12 was examined and testified as follows:

13
14 EXAMINATION

15 BY MS. ADAMS:

16 Q Good morning.

17 A Good morning.

18 Q My name is Crystal Adams and I'll be
19 taking your deposition today. I represent the United
20 States.

21 Would you please state and spell your
22 full name for the record?

23 A Yes. Lisa Oosterveen, L-I-S-A,
24 O-O-S-T-E-R-V-E-E-N.

25 Q Thank you. I will be asking you a series

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

10

1 of questions. You are under oath and must provide
2 complete and honest answers to my questions. The
3 oath you just took is the same oath that you would
4 take if you were testifying in a court of law.

5 Do you understand?

6 A Yes.

7 Q If you do not understand a question that
8 I ask, please just let me know and I will try to
9 rephrase the question. Okay?

10 A Okay.

11 Q If you are not sure of an answer or do
12 not have a complete answer, you should still answer
13 the question to the extent you can. Okay?

14 A Yes.

15 Q As you can see, the court reporter is
16 recording all that is said here. Because she can
17 only record our words, please speak clearly and
18 answer each question with a verbal response. For
19 example, if you respond with uh-huh or shaking your
20 head yes or no, the court reporter will have trouble
21 recording your answer. Okay?

22 A Yes.

23 Q Also, to assist the court reporter in
24 capturing a complete and accurate record of our
25 conversation, we need to avoid talking over each

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

11

1 other. I will try not to interrupt you when you are
2 answering and I'd ask that you do your best to do the
3 same before starting to answer. Okay?

4 A Yes.

5 Q At certain points today you may give an
6 answer as completely as you can and then later on, it
7 might be five minutes, it might be an hour, you may
8 remember some additional information in response to
9 that earlier question. If that happens, please just
10 tell me and we can make sure to add whatever you
11 wanted to for the record. Okay?

12 A Yes.

13 Q Is there any reason you can think of that
14 you will not be able to answer my questions fully and
15 truthfully?

16 A Not that I'm aware of.

17 Q Am I correct that you are being
18 represented by Ms. Sheppard for purposes of your
19 deposition today?

20 A Yes.

21 Q If you need a break at any point, please
22 tell me or your attorney. If you realize that you
23 need a break while you're in the midst of answering a
24 question, I will ask you to finish your question and
25 then we will discuss when or if to take a break.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

12

1 Okay?

2 A Yes.

3 Q Your attorney may occasionally object to
4 my questions, and the State, who's represented by
5 Ms. Johnson on Zoom, may also do the same. This is
6 to put their objections and the issue on the record.
7 It may take a moment for the court reporter to hear
8 the objection, especially if it's coming from Zoom,
9 so just know there might be a delay.

10 Unless your attorney tells you not to
11 answer a question, you can answer my question. Okay?

12 A Yes.

13 Q I will note for the record that the
14 United States counsel for the witness and the State
15 of Georgia have agreed that all objections except as
16 to form and privilege will be reserved until trial.

17 Do you have any questions before we get
18 started?

19 A Not at this time.

20 Q Okay. I am going to ask you a couple of
21 questions about your preparation for this deposition.
22 I want to make it clear that I am not going to ask
23 you to reveal the substance of communications that
24 you have had with your attorney.

25 What did you do to prepare for this

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

13

1 deposition?

2 A I gathered a summary of our school-based
3 mental health services from the time that we started,
4 with a listing of, you know, what schools we added
5 and when, as well as the types of services that we've
6 provided.

7 MS. ADAMS: Can we just go off the
8 record for a minute, please.

9 THE VIDEOGRAPHER: One moment. The
10 time is 9:14 a.m. We're going off the
11 record.

12 (Brief pause.)

13 THE VIDEOGRAPHER: The time is now
14 9:15 a.m. We're back on the record.

15 BY MS. ADAMS:

16 Q Thank you so much for telling me a bit
17 about what you did to prepare for this deposition.

18 You mentioned that you prepared a summary
19 of some of the services and you were noting some of
20 the schools that Aspire serves. We would like to
21 have any of those documents that you brought with you
22 entered into the record. Is there any concern with
23 that?

24 MS. SHEPPARD: No, that's fine.

25 MS. ADAMS: Great.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

14

1 BY MS. ADAMS:

2 Q Do you have them with you right now?

3 A I have them here, yes.

4 Q Is it one complete document?

5 A It's one complete document. If I
6 could -- if we could make copies, because I would
7 like to be able to reference it.

8 Q Okay.

9 A That would be fine.

10 Q Sure.

11 A Or I can it to you at the end, whichever
12 you prefer.

13 MS. ADAMS: What do you think? Do
14 you want to break for --

15 MS. JOHNSON: Why don't we take a
16 brief break.

17 MS. SHEPPARD: We can keep going
18 and I will have my paralegal come in and
19 make copies.

20 MS. ADAMS: Thank you so much.

21 MS. SHEPPARD: And we'll need to
22 send this to the State, also.

23 MS. ADAMS: Yes.

24 MS. SHEPPARD: So if someone can
25 provide me with an e-mail address, I'd

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

15

1 appreciate that.

2 MS. JOHNSON: I'll send it to you.

3 MS. SHEPPARD: Okay.

4 MS. JOHNSON: Thank you very much.

5 MS. COHEN: You're welcome,
6 Melanie.

7 MS. ADAMS: So we will go ahead and
8 mark the documents that the witness has
9 brought with her as 781.

10 (Plaintiff's (Oosterveen)
11 Deposition Exhibit No. 781 was marked for
12 the record.)

13 MS. ADAMS: Okay, thank you.

14 BY MS. ADAMS:

15 Other than preparing that document, did
16 you meet with counsel to prepare for the deposition?

17 A Yes.

18 Q Who was present during that meeting?

19 A Just she and I.

20 Q How many times did you meet?

21 A One time.

22 Q How long was that meeting?

23 A Thirty minutes, approximately.

24 Q Did you speak to anyone else in
25 preparation for the deposition?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

16

1 A I spoke with some of my staff who've
2 provided the services in the schools.

3 Q Which staff did you speak with?

4 A Our current youth and young adult
5 services coordinator, Andrea Kromminga.

6 Q Would you please spell her name, please?

7 A A-N-D-R-E-A, K-R-O-M-M-I-N-G-A.

8 Q Did you speak with anyone else?

9 A Our Apex coordinator. Her name is Hollis
10 Smith, H-O-L-I -- H-O-L-L-I-S. I'm sorry, Smith,
11 S-M-I-T-H.

12 Q Anyone else?

13 A No. I reached out to another CSB who was
14 also the youth services coordinator to ask if she had
15 participated in a deposition. She said she had, but
16 that she could not disclose any information. And her
17 name is Marnie Braswell, M-A-R-N-I-E,
18 B-R-A-S-W-E-L-L.

19 Q Okay. Thank you. Do you regularly speak
20 with Ms. Braswell?

21 A We're in weekly meetings together for
22 another program, yes.

23 Q What is that program?

24 A The program that we are meeting about
25 currently is called MC3. It stands for moderate

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

17

1 customized care.

2 Q Have you met with Ms. Braswell about
3 other programs?

4 A Well, we have a friendship, so we meet
5 regularly just to consult. And it's over the phone.
6 We may text or we may talk. You know, like I said,
7 we meet weekly. So -- it's common practice.

8 Q Okay. Other than the document that you
9 mentioned earlier, did you review any other documents
10 in preparation for the deposition?

11 A No.

12 Q Did you do anything else to prepare for
13 today's deposition?

14 A No.

15 Q Have you ever had your deposition taken
16 before?

17 A No.

18 Q Have you ever been a plaintiff in a
19 lawsuit?

20 A No.

21 Q Have you ever been a defendant in a
22 lawsuit?

23 A No.

24 MS. ADAMS: I ask that the court
25 reporter mark this document as

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

18

1 Plaintiff's Exhibit 782.

2 (Plaintiff's (Oosterveen)

3 Deposition Exhibit No. 782 was marked for
4 the record.)

5 BY MS. ADAMS:

6 Q I want to note for the record that the
7 documents today are marked as Government exhibits.
8 The Government is the Plaintiff in this case. So I
9 will refer to those exhibits as Plaintiff's exhibit
10 and a corresponding number.

11 Some of the documents will also be
12 digital and we will display them on the computer in
13 front of you. You will be able to control that
14 document and scroll through the document before we
15 discuss it.

16 Please take a moment to review the
17 document in front of you, which is Exhibit 782, and
18 you can let me know when you're finished.

19 A Okay. I'm finished.

20 Q This is a subpoena to testify at a
21 deposition in a civil action. The subpoena is
22 directed to Lisa Oosterveen, correct?

23 A Yes.

24 Q Have you seen this document before today?

25 A Yes. I received it from my attorney.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

19

1 Q Are you here today because of this
2 document?

3 A Yes.

4 Q Does the top of the document have the
5 case name, United States v Georgia?

6 A Yes.

7 Q Do you understand that the United States
8 is not suing you or your employer in this lawsuit?

9 A Yes.

10 Q Do you understand that this deposition is
11 being taken in connection with litigation against the
12 State of Georgia relating to the Georgia Network for
13 Educational and Therapeutic Support program?

14 A Yes.

15 Q Are you aware that this program is
16 commonly referred to as the GNETS program?

17 A Yes.

18 Q So if I use the term GNETS, you
19 understand that I'm referring to the Georgia Network
20 for Educational and Therapeutic Support program?

21 A Yes.

22 Q When did you first learn about the GNETS
23 litigation?

24 A I'm not sure, but I think it was a couple
25 of months ago.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

20

1 Q Do you remember how you learned about it?

2 A My boss, the CEO of our organization, had
3 mentioned that there was a potential lawsuit. She
4 did not know a lot of the details around it, so she
5 was not able to provide me with very many details.

6 Q What is your understanding of what the
7 lawsuit is about?

8 A I think it is about a lack of providing
9 school-based supports and services in the GNET
10 schools. That is my understanding.

11 Q I may be using some acronyms today for
12 brevity. I will explain a few of them now to make
13 sure that we're on the same page.

14 The first is Georgia DOE, or GDOE. When
15 I say Georgia DOE or GDOE, will you understand that
16 I'm referring to Georgia Department of Education?

17 A Yes.

18 Q When I say DBHDD, will you understand
19 that I'm referring to Georgia Department of
20 Behavioral Health and Developmental Disabilities?

21 A Yes.

22 Q When I say DCH, will you understand that
23 I'm referring to Georgia Department of Community
24 Health?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

21

1 Q When I say LEA, will you understand that
2 I'm referring to local education agency?

3 A Yes.

4 Q When I say CSB, will you understand that
5 I'm referring to community service board?

6 A Yes.

7 Q When I say Aspire CSB or Aspire, will you
8 understand that I'm referring to the Aspire or Albany
9 Area Community Service Board?

10 A Yes.

11 Q When I say GNET centers, will you
12 understand that I'm referring to standalone GNETS
13 locations?

14 A Yes.

15 Q When I say GNETS school-based locations,
16 will you understand that I'm referring to GNETS
17 locations that are based in general education
18 settings?

19 A Yes.

20 Q When I say PBIS, will you understand that
21 I'm referring to positive behavioral interventions
22 and supports?

23 A Yes.

24 Q When I say EBD, will you understand that
25 I'm referring to emotional and behavioral

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

22

1 disabilities?

2 A Yes.

3 Q When I say general education settings,
4 will you understand that I'm referring to public
5 schools in Georgia where children with EBD and other
6 behavioral health conditions receive instruction and
7 services alongside children who do not have
8 disabilities?

9 A Yes.

10 Q In the course of this lawsuit, did the
11 Aspire CSB program receive a subpoena from the United
12 States requiring it to provide certain documents
13 about its Apex program?

14 A Yes.

15 Q Did Aspire prepare a response to the
16 subpoena?

17 A We did.

18 Q Who was primarily in charge of that
19 effort?

20 A Our chief compliance officer, Eddie
21 Williams.

22 Q Did you have any role in providing a
23 response?

24 A I did not.

25 Q Did you review any part of the response

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

23

1 before it was produced?

2 A Prior to it being produced, no.

3 MS. ADAMS: I'm going to ask the
4 court reporter to mark this document as
5 Plaintiff's Exhibit 783.

6 (Plaintiff's (Oosterveen)
7 Deposition Exhibit No. 783 was marked for
8 the record.)

9 BY MS. ADAMS:

10 Q This is a copy of your resume that we
11 received from your attorney. Do you recognize this
12 document?

13 A Yes.

14 Q Has your last name always been
15 Oosterveen?

16 A No.

17 Q What other last names have you had?

18 A Spears.

19 Q Would you please spell that?

20 A S-P-E-A-R-S.

21 Q During what time period were you known by
22 that last name?

23 A Until 2021, of August.

24 Q What is the highest level of education
25 that you obtained?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

24

1 A A Master's degree.

2 Q Where did you receive your degree?

3 A Richmond University in Atlanta, Georgia.

4 Q When did you receive that degree?

5 A In 2004.

6 Q Did that degree have a focus or
7 specialty?

8 A No.

9 Q What was the Master's in?

10 A In counseling.

11 Q Okay. Do you have any other graduate or
12 professional degrees?

13 A I have a Master's in Executive
14 Leadership.

15 Q Where did you receive that?

16 A Liberty University.

17 Q When did you receive it?

18 A In 2022.

19 Q Did you have any specialty or focus for
20 that Master's?

21 A No.

22 Q Are there any other graduate or
23 professional degrees that you hold?

24 A No.

25 Q Your resume states that you attended

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

25

1 Stanislaus State University. What degree did you
2 obtain there?

3 A Psychology.

4 Q And that was a Bachelor's degree?

5 A Yes.

6 Q And what year did you obtain that degree?

7 A 1999.

8 Q Are you currently pursuing any other
9 degrees?

10 A No.

11 Q Do you have any professional licenses?

12 A Yes.

13 Q What are those?

14 A I have the professional license for
15 counseling.

16 Q Okay. And when did you obtain that
17 license?

18 A In 2007.

19 Q Is that license current?

20 A Yes.

21 Q Do you have any professional
22 certificates?

23 A No.

24 Q In the Skills section of your resume, the
25 first bullet states CBT.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

26

1 A Uh-huh, yes.

2 Q What is that?

3 A That's cognitive behavior therapy.

4 Q And how long have you had that skill?

5 A Since I received my Master's degree.

6 It's a specialization that we're taught.

7 Q And you're referring to the Master's in
8 counseling?

9 A Yes.

10 Q Is CBT an evidence-based skill?

11 A It is.

12 Q Can you tell me what that means, that
13 it's evidence based?

14 A It means that it's measurable. It means
15 that you can demonstrate that the person receiving
16 those services is progressing and you can identify
17 specific skill sets that they have established as a
18 result of that model of treatment.

19 Q You said that you obtained this skill
20 when you were pursuing your Master's in counseling.
21 Can you tell me more about why it was important for
22 you to develop this skill?

23 A It is one of the most important models of
24 treatment, I believe, when working with individuals
25 who have serious emotional disturbances. It

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

27

1 addresses unhealthy thoughts or belief systems that a
2 person may be struggling with and helps to reform
3 those.

4 Q The next term in the first bullet of the
5 Skills section of your resume states CTR.

6 What is that?

7 A I can't remember the acronym for it.

8 Q Okay.

9 A But I can tell you what it's -- what it's
10 for. Right now I can't think of it. It is working
11 with individuals who have psychosis, and it is
12 utilizing skill sets to engage them and develop skill
13 building and goal setting of their own, which then
14 alleviates the symptoms of paranoia, hallucinations
15 and delusions.

16 Q How long have you had this skill?

17 A Let me look at my time line. Around 2017
18 or 2018 is when I went through that training.

19 Q Why did you go through that training?

20 A Because at that time we had a new program
21 that was geared for young people between the ages of
22 16 and 30 who were in their first episode of
23 psychosis.

24 Q And when you say we -- sorry.

25 When you say we had a new program, you're

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

28

1 referring to Aspire?

2 A Yes.

3 Q Is CTR evidence based?

4 A It is.

5 Q The next term in the first bullet states
6 TFCBT.

7 What is that?

8 A Trauma-focused cognitive behavioral
9 therapy.

10 Q Have you had that skill the same amount
11 of time as you had CBT?

12 A No. I went through that training in 2016
13 or 2017.

14 Q Who provided that training?

15 A It was an organization out of Washington,
16 D.C., and I cannot remember the name of the
17 organization.

18 Q Why did you develop this skill?

19 A Because in the course of my work with
20 young people and with adults, a large number of them
21 have trauma, and trauma is often very difficult to
22 help an individual get through. So this is a
23 specialization that helps individuals to identify
24 their trauma, learn about what trauma is, and to be
25 able to use their story to recover.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

29

1 Q Is that an evidence-based skill?

2 A It is.

3 Q Going back to the CTR skill, who provided
4 that training?

5 A That was a training that was offered
6 through the Department of Behavioral Health with a
7 contracted organization. And I cannot remember the
8 name of the contracted organization, just the names
9 of the folks who provided the trainings.

10 Q And when you say Department of Behavioral
11 Health, you're talking about DBHDD?

12 A Yes.

13 Q The next term in the first bullet states
14 sensory modulation.

15 What is that?

16 A That is a training that helps individuals
17 to be able to cope with -- when they become
18 disregulated or they're having some anxiety, it's a
19 way to use their senses to be able to become more
20 regulated. Sometimes you use tools and resources,
21 you put them in the individual's hands and it helps
22 them to regulate. It's something that we use very
23 commonly with children.

24 Q And how long have you had that skill?

25 A Since 2016, I believe.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

30

1 Q Why did you develop this skill?

2 A Because at that time I was working
3 very -- very regularly with children who were on the
4 autism spectrum or they had ADHDD or they were -- you
5 know, they had other behavioral issues.

6 Q Who provided that training?

7 A I do not recall.

8 Q Do you remember if Aspire provided that
9 training?

10 A Oh, yes, it was through Aspire.

11 Q Is this an evidence-based skill?

12 A I'm not sure.

13 Q The next term in the first bullet states
14 TIP.

15 What is that?

16 A I can't remember the acronym, but I can
17 describe the training. I think it has something to
18 do with transitional. The word T is for
19 transitional. But it is a skill set that is used
20 with young people who are in that transitional age
21 between, you know, 16 and 20s, and it provides skill
22 sets to help those young people to begin to
23 transition into adulthood. So it uses a high level
24 of engagement, helping them to develop goals for
25 themselves that are achievable and kind of keeping

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

31

1 them focused on what those goals are.

2 Q How long have you had this skill?

3 A Around 2016 or 2017.

4 Q Why did you develop this skill?

5 A At that time, we were developing --

6 Aspire was developing a program for transitional age
7 youth that is called Emerge, and so that was an
8 additional skill set that I felt I needed to have to
9 work with that population.

10 Q Who provided that training?

11 A Aspire, through DBHDD.

12 Q Is this an evidence-based skill?

13 A I'm not sure.

14 Q The next term in the first bullet states
15 Q -- I'm sorry.

16 (Discussion held off the record.)

17 BY MS. ADAMS:

18 Q The next term in the first bullet states
19 QPR.

20 What is QPR?

21 A Question, persuade and refer.

22 Q And what does that skill do?

23 A That is a suicide prevention training for
24 clinical and nonclinical individuals. It's a
25 training that helps any person to be able to ask the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

32

1 right questions to a person who might be considering
2 suicide and to begin to persuade them to get the help
3 that they need and then to refer them to the
4 appropriate supports.

5 Q Have you had this skill since the
6 Master's in counseling or is it more recent?

7 A It's more recent. I think that skill --
8 I received that training, I think, in 2017.

9 Q Why did you develop this skill?

10 A Because I work with a population who
11 often struggles with suicidality.

12 Q Did Aspire provide that training or
13 someone else?

14 A Yes.

15 Q Aspire. Would you describe that skill as
16 evidence based?

17 A I'm not sure.

18 Q Do you distinguish between the term
19 evidence based and evidence informed?

20 A Yes.

21 Q What is the difference to you?

22 A Evidence informed would be that there --
23 you know, that there's research and there's
24 documented outcomes that demonstrate that the
25 training or that the modality is effective in

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

33

1 decreasing or increasing the outcome that they're
2 for. And QPR has been demonstrated in that way.

3 Q Out of all of the skills that we've
4 talked about so far, would you say that any of them
5 are evidence informed?

6 A Sensory modulation, yes. TIP, yes.

7 Q Any others?

8 A Well, TFCPT is evidence based, so it
9 would also be evidence informed. CTR, I believe, is
10 evidence informed, and CBT is evidence based and
11 evidence informed. And then AMSR is certainly
12 evidence informed, and I'm not sure if it's evidence
13 based.

14 Q That's the last skill that I want to
15 review with you.

16 A Yes.

17 Q So can you tell me AMSR is?

18 A Assessing, management -- managing suicide
19 risk.

20 Q Okay. Did you develop this skill around
21 the same time as QPR?

22 A I believe I received that training in
23 either 2018 or 2019.

24 Q Did Aspire provide that training?

25 A Yes, through DBHDD.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

34

1 Q When you say that Aspire provides
2 trainings through DBHDD, can you tell me more about
3 what that process looks like?

4 A It means that DBHDD sponsors the training
5 and, through my employment with Aspire, I'm able to
6 attend those trainings.

7 Q And when say DBHDD sponsors, does that
8 mean that they fund the training?

9 A Yes.

10 Q Are you currently employed at the Aspire
11 CSB?

12 A Yes.

13 Q What is your current job title?

14 A Deputy director.

15 Q Am I correct, according to your resume,
16 you have been deputy director since October 2021?

17 A Yes.

18 Q Your resume notes that one of your
19 responsibilities includes providing clinical
20 oversight to behavioral health and SUD programs.

21 What are SUD programs?

22 A Substance use disorder programs.

23 Q What does providing clinical oversight to
24 behavioral health and SUD programs involve?

25 A It involves supervision of all of the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

35

1 coordinators of the different programs throughout the
2 organization.

3 Q Your resume notes that one of your
4 responsibilities includes providing clinical
5 oversight to residential and OP services.

6 What are OP services?

7 A Outpatient services.

8 Q What does providing clinical oversight to
9 residential and outpatient services involve?

10 A That involves having the direct
11 supervisory oversight to the program managers of
12 those services, as well.

13 Q Your resume notes that one of your
14 responsibilities includes development of agency and
15 program-specific policies and procedures.

16 What does the word agency refer to here?

17 A Aspire.

18 Q What does the word program refer to?

19 A The individual programs of an
20 organization.

21 Q What kinds of policies and procedures are
22 you responsible for developing?

23 A Any new unit-specific procedures for a
24 program that is in developmental stages. It also
25 includes updating those unit-specific procedures in

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

36

1 partnership with the program managers, reviewing
2 them, ensuring that they've been implemented.

3 Q Are you familiar with the Apex program?

4 A I am.

5 Q What is that?

6 A That is the -- it's DBHDD's school-based
7 mental health services.

8 Q Does Aspire have its own Apex program?

9 A We do.

10 Q Have you developed any policies and
11 procedures related to the Apex program?

12 A I have.

13 Q What kinds of policies and procedures?

14 A Referral procedures, discharge
15 procedures. Essentially, program flow. I'm trying
16 to think of some of the other procedures that we've
17 developed -- that I've developed. I can't -- I can't
18 recall, but several procedures for Apex, yes.

19 Q Do you recall approximately when the last
20 time was that you updated or developed a procedure or
21 policy about Apex?

22 A Our program procedures are updated
23 annually. I don't recall if there were any changes
24 made to them in -- you know, in this last year.

25 Q Your resume notes that one of your

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

37

1 responsibilities includes program development and
2 management. What does that involve?

3 A That involves any new contract or program
4 that Aspire receives. I work on implementation of
5 that new program, interviewing and hiring staff for
6 that program, developing a time line for
7 implementation and then follow through.

8 Q Can you tell me all of the programs that
9 you have developed and managed at Aspire?

10 A I can try.

11 Q Okay.

12 A I can try. I developed the Mental Health
13 Clubhouse program. I developed the Apex school-based
14 mental health services program. I developed the
15 Evolve First Episode Psychosis program. Emerge,
16 which is the Emerging Adult program. I have
17 developed our co-response program. I have developed
18 our In Reach jail programs. I'm still thinking.
19 There's a lot.

20 Q Take your time.

21 A I have developed our Integrated Care
22 program. I have developed our PAC program, which is
23 a peer-lead parent and youth program. I'm going
24 through all the other sites. I've developed our
25 First Episode Psychosis Crisis Respite program.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

38

1 That's all that I can think of right now.
2 If I think of any others, I'll let you know.

3 Q Okay. Out of those programs that you
4 just listed, are any of those, in addition to Apex,
5 targeted to young people who have behavioral needs?

6 A Yes.

7 Q Which ones?

8 A The Mental Health Clubhouse is. The
9 Emerging Adult program is, the First Episode
10 Psychosis program is, the First Episode Psychosis
11 Respite program is. I think that's all of them. Oh,
12 the PAC. That is also geared towards young people
13 with mental health and substance use disorders.

14 Q Your resume notes that one of your
15 responsibilities includes overseeing budgets and
16 expenditures. What does that involve?

17 A That involves reviewing each budget for
18 each program and ensuring that the dollars are spent
19 appropriately, and also spent down so that we utilize
20 all of those dollars.

21 Q Do you oversee any budgets or
22 expenditures related to Medicaid?

23 A Yes.

24 Q Which budgets or expenditures are those?

25 A I believe all of those. I mean, they're

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

39

1 all contracts with DBHDD and that does also include
2 children who -- children and adults who are on
3 Medicaid.

4 Q Your resume notes that one of your
5 responsibilities includes participating in community,
6 regional and state collaboratives and partnerships.
7 What partnerships and collaboratives do you
8 participate in?

9 A We partner -- at this point, I'm no
10 longer directly involved in all of them, but my staff
11 are. And that includes LIPT, local interagency
12 planning team meetings; that involves MDT meetings,
13 which is multidisciplinary team meetings; that
14 involves CHINS meetings; that involves a regional
15 collaborative with behavioral health providers; that
16 involves the Family Literacy Connections team
17 meetings; the Child Vitality Review team meetings.

18 That's all that I can think of right now.
19 If I think of any others, I will let you know. Those
20 are all meetings that I have historically been a part
21 of but I do not currently attend all of those
22 meetings.

23 Q Okay. Which of the ones that you just
24 listed have to do with supporting children with
25 behavioral health needs?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

40

1 A All of them.

2 Q You mentioned -- I think you said --
3 CHINS. Can you tell me what that stands for or what
4 that is about?

5 A I can't recall what it stands for, but it
6 is for children who are engaged in the justice
7 system.

8 Q How often do these collaboratives and
9 partnerships meet?

10 A It varies. Some of them -- a couple of
11 the meetings are -- must be requested. So if there
12 is a child that is of interest and engaged in
13 multiple stakeholder settings, then one of the
14 stakeholders will request a meeting. That takes
15 place with LIPT and CHINS.

16 And then the other meetings have a
17 standard time that they meet. So the MDT meetings
18 meet every other week. The regional meetings take
19 place quarterly. The Family Literacy meetings take
20 place once a month. Child Fatality meetings take
21 place when there's a fatality.

22 Q You mentioned that for LIPT and CHINS,
23 those meet on a request-type basis?

24 A Yes.

25 Q Can you tell me which stakeholders are

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

41

1 involved in being able to make those requests?

2 A Department of Justice, Department of
3 Education, Department of Family and Children's
4 Services. The behavioral health provider, which is
5 Aspire, can make the requests. There may be other --
6 others who can. Those are the ones that come to my
7 mind.

8 Q Is it common for Aspire to make requests
9 for those meetings to occur?

10 A We have occasionally.

11 Q Does Aspire ever make requests to meet
12 with either of those groups for students who receive
13 Apex services?

14 A I would say yes. I can't think of any
15 specific children right now, but it would be
16 something that we would do, yes.

17 Q In these various collaboratives and
18 partnerships that we've discussed, do any of them
19 discuss Apex in particular?

20 A I would say yes. I can't recall
21 specifically, you know, having a meeting where we
22 discussed it, but yes. Aspire very commonly talks
23 about our services and markets our services, and we
24 would do something like that in one of those
25 meetings, yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

42

1 Q Your resume notes that one of your
2 responsibilities includes grant writing and
3 oversight. What does that involve?

4 A That means when there is a proposal, a
5 statement of need that is sent out, if it fits the
6 mission and vision of our organization and it meets a
7 gap in a population that we serve, then I have
8 written those grants to propose that we receive those
9 programs.

10 Q Have you written any grants related to
11 Apex?

12 A I assisted with writing -- I believe, it
13 was a proposal for Apex 2.0, but I can't recall if it
14 was 2.0 or 3.0, with my -- the current staff person
15 who was the services coordinator. We worked together
16 to write it.

17 Q Do you recall when that occurred?

18 A It depends on if it was 2.0 or 3.0. If
19 it was 2.0, it would have been between 2016 and 2017.
20 I can't recall exactly. If it was 3.0, it would have
21 been 2017, 2018. Sorry. I don't remember the dates.

22 Q That's okay. Thank you.

23 Does Aspire currently receive Apex 3.0
24 funding?

25 A We do.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

43

1 Q Was that granted after the application
2 from 2017, 2018?

3 A Yes.

4 Q Do you write any grant applications
5 related to school-based mental health services for
6 children and adolescents with behavioral health needs
7 other than what we've just discussed?

8 A Not other than that, no.

9 Q Are there any responsibilities that you
10 currently hold in your role as deputy director that
11 we have not already discussed?

12 A I do provide leadership training to the
13 managers; also, you know, redirection and
14 disciplinary actions if it requires it, corrective
15 action plans when there has been an identified issue
16 in our program. I'm part of the executive leadership
17 team of the organization. I think I said trainings,
18 so that about encompasses everything.

19 Q When you say that you provide redirection
20 and corrective action plans, do you mean that you do
21 that for other Aspire staff members?

22 A I will do it both personally with a staff
23 person, but then also if -- if we have had an audit
24 or an outside entity, like an investigation, then I'm
25 responsible for ensuring that the corrective action

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

44

1 plan has been written or I write it myself.

2 Q When you say that you provide trainings,
3 can you tell me if those are similar to what we
4 talked about before where DBHDD has sponsored a
5 training or how is that --

6 A So these would be trainings around our
7 policies and procedures. I also provide leadership
8 development trainings to our staff.

9 Q Do you provide any evidence-based or
10 evidence-informed skill-based trainings?

11 A No.

12 Q Your resume states that, before you began
13 serving in your current role, you were the chief
14 clinical officer at Aspire?

15 A Yes.

16 Q You served in that role from April 2019
17 to October 2021?

18 A Yes.

19 Q Were your responsibilities in this role
20 any different from your current responsibilities?

21 A Not really. I just have more now.

22 Q Which additional responsibilities did you
23 gain in your current role?

24 A Specifically, the implementation of much
25 bigger grants that we've received through SAMHSA. So

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

45

1 really oversight of those, which is more rigorous
2 than the Department of Behavioral Health programs.

3 Q For the record, can you identify what
4 SAMHSA is?

5 A It is Substance Abuse, Mental Health
6 Administration.

7 Q These bigger grants that you just
8 referenced, are any of them or have any of them dealt
9 with Apex or behavioral health?

10 A Behavioral health, yes; but Apex, no.

11 Q What kind of behavioral health needs have
12 they addressed?

13 A They -- they are -- currently, they are
14 more geared towards our adult population and through
15 -- like I started our co-response group through that
16 funding. And we implemented -- I implemented the
17 living room model through our outpatient adult and
18 crisis center.

19 Q Your resume states that before you were
20 the chief clinical officer, you were a youth and
21 young adult services coordinator at Aspire?

22 A Yes.

23 Q You served in that role from June 2011 to
24 March 2019?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

46

1 Q One of your responsibilities was managing
2 a team of more than 30 professionals over six
3 programs in 17 counties?

4 A Yes.

5 Q What were the titles of the professionals
6 you managed?

7 A I managed clinical staff, so therapists,
8 and community support individuals, clerical staff. I
9 also had a nurse under my supervision.

10 Q What services were those professionals
11 providing?

12 A They were working in the different youth
13 programs, our outpatient youth program, our Mental
14 Health Clubhouse, our Emerging Adult program, our
15 First Episode Psychosis program. All of the programs
16 that were listed previously, the Apex school-based
17 services.

18 Q Were any of those professionals providing
19 any services in schools?

20 A Yes.

21 Q Which -- which programs were the services
22 provided in schools?

23 A The Apex school-based services was in
24 schools, the Evolve First Episode Psychosis sometimes
25 takes place in schools, and then the Clubhouse --

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

47

1 some of Clubhouse community support individuals
2 provided -- provide services in the schools, as well.
3 And the Emerging Adult. So case management services
4 will take place in the community and in the schools,
5 if that benefits the family.

6 Q What was your particular role in terms of
7 Apex at that time?

8 A In the beginning, in 2015 when we first
9 received the program, I helped to implement. So that
10 included marketing the program, meeting with school
11 principals to talk about the services that we
12 provide. It also included development of the
13 procedures, and then it involved hiring the staff and
14 determining, you know, the program flow.

15 Q Okay. You said that that was at the
16 beginning. Did things change over time in terms of
17 your role?

18 A Yes. In the very beginning of the
19 program, I did not have a program coordinator. I
20 served in that role and implemented the program, as I
21 do with most programs. And then, as the program
22 began to grow, I was able to hire a youth -- an Apex
23 coordinator.

24 Q One of your responsibilities in your role
25 at this time was providing direct service care to

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

48

1 individuals?

2 A Yes.

3 Q What direct service care did you provide?

4 A I did provide school-based services to
5 youth and outpatient services, so in clinic, out of
6 clinic, as a clinician.

7 Q Did you provide those services through
8 the Apex program?

9 A Through Apex and non Apex, yes.

10 Q Did any of the young people that you
11 served at that time need support or services related
12 to their behavior?

13 A Yes.

14 Q Did any of those young people have EBD?

15 A Yes. I can't recall a specific child,
16 but yes.

17 Q Had any of those young people been
18 diagnosed with serious emotional disturbance?

19 A Yes.

20 Q Do you remember if any of those young
21 people participated in GNETS?

22 A I do, yes, because I did provide care at
23 GNETS, at one of the GNET schools.

24 Q Do you remember which school?

25 A The school that I was involved with was

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

49

1 the GNET school that was located at Merry Acres
2 Middle School in Dougherty County.

3 Q Do you recall how long you were working
4 with the students at that school?

5 A I think probably a couple of years before
6 I really transitioned out of the role of providing
7 direct care on a high level.

8 Q Do you recall how it came to be that you
9 were providing services to those particular students?

10 A If I recall, the child was referred from
11 the school itself.

12 Q Do you recall who in particular from the
13 school referred the children?

14 A I don't recall. I know I worked very
15 closely with a person named Josie, and I can't
16 remember her last name.

17 Q Do you remember what her title was?

18 A I believe -- I don't recall her title,
19 but I believe she was either a social worker or, you
20 know, someone in the mental health field, if not the
21 director of the school. I'm sorry I can't remember
22 all those details.

23 Q That's okay.

24 When you were providing care for children
25 who were in the GNETS program at Merry Acres, were

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

50

1 any of those students receiving Apex services?

2 A No, I don't believe so.

3 Q Your resume states that, before you
4 worked at Aspire, you were a child and adolescent
5 program manager at Morningstar Children's Services?

6 A Yes.

7 Q You served in that role from June 2008 to
8 May 2011?

9 A Yes.

10 Q One of your responsibilities was
11 supervising 12 professionals?

12 A Yes.

13 Q What were the titles of those
14 professionals?

15 A Therapists and community support
16 individuals, clerical staff.

17 Q What services were they providing?

18 A Behavioral health assessments,
19 individual, family therapy, group therapy and skills
20 building.

21 Q Were those professionals providing any
22 services in schools?

23 A Yes.

24 Q Were they serving students in Apex?

25 A Apex -- I was not aware of Apex at that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

51

1 time.

2 Q Were the services being provided in
3 schools provided to students with behavioral health
4 needs?

5 A Yes.

6 Q One of your responsibilities was
7 attending local community stakeholder meetings?

8 A Yes.

9 Q What stakeholder meetings did you attend?

10 A The same as I listed previously.

11 Q So some of those had to do with Apex?

12 A Yes, school-based services, yes.

13 Q Why did you attend those meetings?

14 A Because I was working directly with
15 children who had mental health and substance use
16 disorders.

17 Q Your resume states that you also worked
18 part-time as a clinician at Providence Counseling?

19 A Yes.

20 Q And you served in that role from
21 February 2008 to December 2020?

22 A Yes.

23 Q You provided assessments, premarital,
24 marital and individual and family therapy?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

52

1 Q Earlier, we talked about how you were
2 working at Aspire starting in June 2011?

3 A Uh-huh.

4 Q Were you always working full-time in each
5 of your roles at Aspire?

6 A Yes.

7 Q So in addition to your full-time
8 positions at Aspire, you worked part-time as a
9 clinician?

10 A Yes, I had a small private practice.

11 Q Have you ever been a State employee in
12 Georgia?

13 A No.

14 Q Are there any other credentials relevant
15 to Aspire's Apex program that we have not already
16 discussed?

17 A I don't think so, no.

18 MS. ADAMS: Let's go off the
19 record.

20 THE VIDEOGRAPHER: The time is
21 10:10 a.m. We're going off the record.

22 (Brief pause.)

23 THE VIDEOGRAPHER: The time is
24 10:23 a.m. We are back on the record.

25 BY MS. ADAMS:

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

53

1 Q Welcome back. I have a few questions
2 that I would like to talk about based on the
3 conversation that we were having earlier about your
4 work experience.

5 Earlier, we were discussing some of the
6 skills that you've developed.

7 A Yes.

8 Q One of them is CBT?

9 A Yes.

10 Q Can we talk a bit more about your
11 understanding of whether there are different types of
12 CBT?

13 A Yes. There are different types of CBT.
14 One example would be TFCBT. CBT is kind of the
15 generalized modality of treatment that kind of gives
16 the foundation of the benefits of CBT, and then there
17 are specific trainings or certifications that
18 identifies and works with a specific population.

19 Q And the specific training that you have
20 had, apart from CBT, is the trauma-focused CBT?

21 A Yes. Yes.

22 Q We talked about you receiving trainings
23 from a number of different people and entities. Do
24 you recall who in particular trained you on CBT and
25 trauma-focused CBT?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

54

1 A The CBT I received when I was in my
2 Master's program, and it was through a professor who
3 taught about the various modalities of treatment, and
4 I can't recall which professor that was.

5 Q Okay. And what about the trauma-focused?

6 A The trauma-focused CBT, that came from an
7 organization in Washington, and I do not recall
8 who -- I can't remember the name of the organization.

9 And that training was offered, I believe,
10 through DBHDD. So we were made aware of it, we could
11 sign up for it. I did. It was a week-long training
12 that I attended.

13 Q Okay. We also discussed some of the
14 stakeholder and collaborative meetings that you've
15 attended?

16 A Yes.

17 Q We talked about LIPT in particular?

18 A Yes.

19 Q What matters are usually discussed during
20 those meetings?

21 A Usually, a child who is having functional
22 struggles, meaning that they are not doing well. The
23 discussion is around additional support that that
24 child may need, additional services that may benefit
25 the family, who else needs to be brought in as a

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

55

1 stakeholder or as a support system to the family,
2 what other types of resources the family may need in
3 addition to services. So it may be linkage to the
4 food pantry or --

5 And then it's, you know, identifying
6 goals with the youth and their family, in partnership
7 with those stakeholders, so that the youth can begin
8 to experience success.

9 Q What does Aspire usually do during those
10 meetings?

11 A So our current role with several of the
12 LIPTs in our catchment area is to be the LIPT chair.
13 I am not personally, but I have a staff member who
14 chairs the Dougherty County LIPT and a couple of
15 other counties. I can't think of which ones they are
16 right now.

17 Q What is your particular role as chair?

18 A The role as chair is, when a request
19 comes in for an LIPT meeting, she is the one who
20 coordinates the specifics of when and where and how
21 the meeting will take place. She will prepare the
22 agenda and then she will facilitate the actual
23 meeting itself.

24 Q Can you tell me if LIPT meetings differ
25 in any way from IEP meetings?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

56

1 A Yes.

2 Q How do they differ?

3 A As far as my understanding, IEP meetings
4 take place in the school and it is a meeting that is
5 orchestrated by the school, in partnership with the
6 family, around the child's individual needs that are
7 specific to the school setting. That may also
8 include any additional resources, services or
9 supports that the child needs, but it is more geared
10 towards IEP -- or towards the school-based setting.

11 The LIPT meetings really addresses the
12 child from a holistic standpoint. So those are the
13 differences that I'm familiar with.

14 Q And by holistic standpoint, do you mean
15 outside of the school setting, as well?

16 A Right, in addition to the school setting,
17 uh-huh.

18 Q Are any school staff members able to
19 request an LIPT meeting?

20 A I believe so. I'm not for sure, but I
21 believe anyone that, you know -- because there are
22 required entities, you know, the educational system,
23 the Department of Family and Children Services, if
24 they're involved, the Department of Justice system,
25 they are required to come to the table. So anyone

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

57

1 who is, you know, part of that system can make a
2 request for a meeting.

3 Q Is any entity required to request a
4 meeting at any time?

5 A Required, no.

6 Q Are family members allowed to make
7 requests for an LIPT meeting?

8 A I believe so, but I'm not positive. I
9 believe so.

10 Q How are family members informed about the
11 existence of LIPT?

12 A I -- I think that they are made aware by
13 any of the entities who may be involved with the
14 child. If an LIPT meeting would be beneficial and
15 helpful, then the person initiating the meeting would
16 be the one to introduce kind of the meeting and
17 purpose of it.

18 What we have done as an organization
19 since, you know, my staff person is a chair, we have
20 an orientation that we have created that we have now
21 gone to the different organizations and kind of
22 talked with them about the meeting, purpose and
23 benefits of LIPT.

24 And then, I believe -- but I can't be
25 sure -- that my staff person has also provided those

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

58

1 types of meetings in the community, so that -- just
2 to raise awareness of the benefits of LIPT.

3 Q Can you remind me the name of the staff
4 person who represents Aspire at the LIPT?

5 A Angie Williams.

6 Q And what is her title?

7 A She is a system of care coordinator.

8 Q We also discussed MDT. I believe you
9 said multidisciplinary?

10 A Uh-huh, yes.

11 Q Can you tell me again exactly what that
12 group is about?

13 A The MDT is -- it is -- originates from
14 the local child advocacy center, and it is in
15 reference to children who have been involved in child
16 advocacy. So it -- maybe a child who has sexual
17 abuse or trauma. And so it is a staffing with all of
18 the major stakeholders who would be involved with the
19 child and their family around the case of that child.
20 And that takes place here locally at The Lily Pad
21 every two weeks.

22 So, again, that's where the school system
23 would be in attendance, the, you know, Department of
24 Juvenile Justice if they are involved, DFACS and then
25 the behavior health provider.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

59

1 Q That group meets at The Lily Pad, you
2 said.

3 A Yes.

4 Q What is The Lily Pad?

5 A That is a local child advocacy center
6 here in Dougherty County. There are child advocacy
7 centers in other counties, as well, and we attend
8 those when they take place, but they do not take
9 place as regularly as the one locally here.

10 Q So the MDT that you were referring to is
11 specific to Dougherty County?

12 A It's specific to child advocacy centers
13 and, you know, the other stakeholders that come to
14 the table. So it's -- in our area, that MDT is, you
15 know, in different locations, but the one here is in
16 Dougherty County.

17 Q We also talked about one of Aspire's
18 programs. I believe it was the Evolve First Episodes
19 Psychosis program?

20 A Yes. Yes.

21 Q Does Aspire partner with any specific
22 entities around that program?

23 A Can you ask me specifically what types of
24 entities you're looking for?

25 Q Sure. Are there any specific

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

60

1 school-based partners?

2 A Well, Evolve does provide school-based
3 services to youth in whatever school they're in, if
4 it's -- if it's the goal of the family and the youth
5 that that's a good place for the child to meet. And
6 so in those instances, yes, the staff would meet with
7 the educators there, with the school social worker,
8 with the school counselor, the principal, whomever is
9 a major role player in that child's life.

10 Q So that program can -- those -- the
11 services of that program can be provided at a school
12 setting?

13 A Yes. It's a community-based program. So
14 very little of the program itself takes place in
15 clinic.

16 Q We also talked about how, early on in
17 your time at Aspire, you provided direct services in
18 schools?

19 A Yes.

20 Q And we talked about how sometimes you
21 were providing services that were not specific to the
22 Apex program.

23 A Right.

24 Q Can you tell me which schools you served
25 in addition to the Merry Acres school that we talked

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

61

1 about earlier?

2 A Sure. I'll do my best. I provided
3 direct care services in Lee County Ninth Grade
4 Academy, Lee County Elementary School, Lee County
5 High School. TLC, which is a transitional learning
6 center, which is an alternative school. I provided
7 services in Lake Park Elementary School, Alice
8 Coachman School. I believe I provided services in
9 Lincoln Elementary School. I believe Westover High
10 School.

11 And that's -- that's what I can think of
12 right now. If I think of others, I'll let you know.

13 Q In order to provide those services, what
14 communication had to happen with the school?

15 A Yeah, at that time, what I would do --
16 and this was prior to or even after we started the
17 Apex program. I would have communication with the
18 family and I would interact with the child. It would
19 be determined that, you know, the child would rather
20 have services in the school, or the family requested
21 it because of work schedules. It was just a
22 challenge for them to get to in-clinic services.

23 So we would agree upon that and then I
24 would reach out to the school itself, either to the
25 principal or the school counselor, to get that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

62

1 permission to come and provide those services in the
2 schools. Then we would agree on a location that I
3 could meet confidentially with the child.

4 And then I would also discuss with the
5 child the best way that they would like to be pulled.
6 Like the time, the -- you know, if they wanted me to
7 come to their classroom or if they wanted to be
8 called to the front. And then we would, you know,
9 agree on, you know, the best number of times to meet,
10 so how often. And usually the schools were pretty
11 accommodating.

12 Q How did you have those first interactions
13 with those families to begin with?

14 A They would be referred to our
15 organization. And this was even before I started
16 with Aspire. This was when I was at the previous
17 location. The child would be referred either through
18 the family or through another organization, and then
19 I would have that initial assessment with the family
20 and build that relationship and that rapport.

21 And then in the course of that time, you
22 know, we would come to learn of barriers and
23 challenges or needs. So if the child was having
24 functional difficulties in the school, then it made
25 sense to be able to kind of see some of that behavior

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

63

1 or some of those concerns that were going on right
2 there in the school setting.

3 Q We spoke about how you served some
4 students who were in the GNETS classroom at Merry
5 Acres?

6 A Yes.

7 Q Did you ever serve any other students who
8 participated in GNETS?

9 A I'm -- I'm trying to think if I did
10 myself. I don't recall serving any other children of
11 other GNET schools. I think some of it had to do
12 that I had an established relationship with the
13 director there and so, you know, she would contact me
14 directly. If I did, I don't recall.

15 Q Can you tell me a bit more about how you
16 established that relationship with the director?

17 A I can't recall specifically, but
18 oftentimes when I do establish a relationship with,
19 you know, a community stakeholder, it's through
20 attending those meetings. It's -- you know, it's
21 being involved in the community, being engaged.
22 Sometimes it's when there is a problem with a child
23 and, you know, I'm trying to gather more information
24 or I'm trying to understand how to best serve that
25 child, then I really work to establish a relationship

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

64

1 with, you know, the -- those individuals.

2 And in that situation, with that child,
3 he had a great deal of trouble at the school. And so
4 I believe that the -- the director had finally
5 reached out to us, just asking for help and support
6 and so, of course, you know, we wanted to be
7 supportive.

8 Q Earlier, we speak about someone named
9 Josie, and you couldn't remember hear her last name.

10 A Yes.

11 Q Can you recall whether Josie worked
12 within the GNETS classrooms?

13 A Within the classroom, I'm not sure, but
14 at the school, yes. Yes. And then there was another
15 person -- I've just remembered her name -- her name
16 was Loy Addison, and I worked very closely with her,
17 as well.

18 Q Can you spell that please.

19 A L-O-Y, A-D-D-I-S-O-N. And I don't recall
20 her role, but she and Josie, they did work closely
21 together.

22 And I do -- I did have a relationship
23 also with the director of the local GNETS regional,
24 and that's Dr. Kerri Miller. We've worked very much
25 with her. If there was a specific child that, you

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

65

1 know, they were having some difficulties with or even
2 if there were, you know, trainings or supports that
3 they needed, she would reach out and we would help in
4 any way that we could.

5 Q And to be clear, you do not recall
6 whether Loy Addison was based in the GNETS classroom
7 or just working at the school?

8 A Right.

9 Q Let's transition to talking more big
10 picture about Aspire overall.

11 A Sure.

12 Q What is a community service board?

13 A A community service board is the safety
14 net provider for citizens in the community who have,
15 you know, serious mental health disorders or
16 substance use disorders; and we provide a full
17 spectrum of care to those individuals, ranging from
18 outpatient services all the way to crisis
19 stabilization services and everything in between.
20 We've got some specialty programs that really, you
21 know, address specific needs or populations within
22 that spectrum.

23 Q When was Aspire CSB first formed?

24 A I'm not sure. I believe it was in the
25 '80s.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

66

1 Q Do you know why Aspire was created?

2 A I think it was created because it was
3 determined that mental health was a -- a real need,
4 and it was developed to begin to meet the needs of,
5 you know, the underserved populations. So it was the
6 underinsured, the -- and the indigent populations,
7 people homeless. So we served the most at-risk
8 individuals who have mental health and substance use
9 disorders, and intellectual developmental
10 disabilities.

11 Q What counties does Aspire serve?

12 A We serve Dougherty County, Lee, Baker
13 Worth, Terrell, Early, Miller and Calhoun Counties.

14 Q Has Aspire always served those counties?

15 A Yes. We have additional counties that we
16 serve as well that I cannot remember and list them
17 all, but those are through specialty contracts, like
18 that First Episode Psychosis program. And then we
19 have just received another program, which is a high
20 fidelity wrap-around that has not launched yet, but
21 that will also serve Regions 4, 5 and 6, according to
22 the DBHDD regional map.

23 Q When you say specialty contracts, can you
24 tell me more about how Aspire got those?

25 A Usually it's through submitting a

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

67

1 proposal or a grant for those. So a Statement of
2 Need will go out and we will apply. Sometimes it
3 does not have to happen in that way. Sometimes it's
4 through just DBHDD, you know, asking us if we would
5 like to. And I don't know the difference between,
6 you know, when you have to apply versus when those
7 services are offered. I'm not sure how DBHDD
8 determines that.

9 Q Are the specialty contracts that you
10 mentioned always through DBHDD?

11 A Yes.

12 Q Earlier before the break, you were
13 talking about Aspire and the region it serves. Am I
14 correct that that region is also known as the
15 catchment area?

16 A Yes.

17 Q Do you know who or what entity decided
18 Aspire's catchment area?

19 A I do not.

20 Q Is Aspire's catchment area predominantly
21 urban or rural?

22 A I would say predominantly rural. The
23 only urban location that I -- and I think it would be
24 considered urban -- would be Dougherty County. All
25 the other counties are rural.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

68

1 Q Do you know approximately how many school
2 districts are within the catchment area?

3 A I'm not sure.

4 Q Do you know approximately how many
5 schools are within the catchment area?

6 A I'm not sure.

7 Q Does Aspire maintain a list of the
8 schools in its catchment area?

9 A We -- we have a list of the schools that
10 we serve, which is almost all of the schools in the
11 catchment area. So I might be able to come up with
12 that information for you. And I can get that
13 information for you if you'd like.

14 Q Thank you. Would you say that Aspire
15 serves at least 80 percent of the schools in its
16 catchment area?

17 A I would say very close to that amount.
18 Very close to that amount.

19 Q To whom do you report directly in your
20 role as deputy director?

21 A The CEO.

22 Q Who is that?

23 A Dana Glass.

24 Q Who is Dana Glass employed by?

25 A Aspire Behavioral Health & Developmental

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

69

1 Disabilities.

2 Q What are her licensing and certification
3 qualifications?

4 A She's a licensed clinical social worker.

5 Q Does she have any other qualifications?

6 A Not that I'm aware of.

7 Q Do you report to anyone else?

8 A I do not.

9 Q Does anyone report to you?

10 A Yes.

11 Q And I'm going to ask if you can share who
12 those individuals are. It might be a big list.

13 A It's going to be a big list. So I have
14 program directors. They're called the outcomes
15 management team, and that is the youth and young
16 adult services coordinator, Andrea Kromminga; the
17 crisis clinical coordinator, his name is Mike
18 McCaskill, and then the outpatient -- the eastern
19 counties outpatient coordinator, the western counties
20 outpatient coordinator, the residential coordinator.

21 And then I have an IC3 coordinator,
22 utilization management coordinator. And I'm missing
23 somebody. Oh, I have a specialty services
24 coordinator.

25 And then all of their staff under them,

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

70

1 they're under my umbrella of supervision, and that's
2 many people, hundreds of people.

3 Q Talking about the people who report
4 directly to you, those program directors and the
5 coordinators you mentioned.

6 A Yes.

7 Q What are their licensing and
8 certification qualifications?

9 A All of the staff who I just named are
10 either a licensed professional counselor or a
11 licensed clinical social worker. One of them has a
12 Master's degree in administration -- business
13 administration because her role is not clinical. And
14 I have one staff person who's working towards
15 licensure. She's not fully licensed yet.

16 Q Who is that?

17 A Her name is Meranda Bice and she works in
18 my IC3 coordinator role.

19 Q Would you please spell her name?

20 A M-E-R-A-N-D-A, B-I-C-E. She's actually
21 transitioning from another state. So she's working
22 on getting that licensure for the state of Georgia.
23 So it's not that she's not licensed, she's
24 transitioning licenses.

25 Q And what's the name of the staff member

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

71

1 who has the MBA?

2 A Sonya Taylor.

3 Q Can you spell her name, as well.

4 A S-O-N-Y-A, T-A-Y-L-O-R.

5 Q Are there any Aspire staff, other than
6 your boss, who do not report to you?

7 A Yes. The executive leadership team,
8 which would be our chief personnel officer, our chief
9 financial officer, our chief compliance officer, our
10 chief operations officer, our IDD chief clinical
11 officer and then our employee experience and
12 engagement specialist coordinator.

13 Q Who do they report to?

14 A The CEO.

15 Q In your role as deputy director, do you
16 communicate with anyone at DBHDD?

17 A Yes. Occasionally, yes.

18 Q Who do you communicate with?

19 A I have had communications with various
20 program directors for different programs and
21 contracts.

22 Q Do you know the names of any of the
23 people you've spoken with or communicated with?

24 A Sure, I can give you some. I have
25 worked -- I've communicated with Tabatha Burke, with

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

72

1 Virginia Dixon. I have communicated previously with
2 Teri Timberlake and Monica Johnson. I have
3 communicated with the current clinical director,
4 Carol Caraballo -- I can't say her last name right --
5 Caraballo, with Dante McKay, Layla Fitzgerald, with
6 Sarepta Archila. And I'm sure there's more. I just
7 can't think right now. Oh, with Joyava Bell.

8 Q What is the main reason that you
9 communicate with them?

10 A Communication can be anything along the
11 lines of submitting programmatic reports to them, if
12 there are questions or needs around program flow or
13 requests that they have about data, budgets. They
14 may provide trainings or, you know, requests from us.
15 Yeah.

16 Q Do you ever communicate with any of the
17 staff at DBHDD about Apex in particular?

18 A Yes. We have, yes.

19 Q Do you submit any reports or data around
20 Apex?

21 A Yes. My Apex coordinator does, because
22 I'm no longer in that role. My Apex coordinator does
23 submit monthly reports. Those reports, I believe,
24 are submitted to the Center of Excellence and DBHDD
25 together.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

73

1 Q What is the Center of Excellence?

2 A It is -- it is a -- the organization that
3 works alongside DBHDD for the purpose of data
4 collection, research, data analysis and also
5 trainings.

6 Q How frequently do you communicate with
7 staff at DBHDD?

8 A I communicate much less frequently than
9 my Apex coordinator or my other program directors
10 would be. So it would -- it would be in program
11 implementation.

12 So when I'm -- when I am still very
13 involved in building a program and getting it
14 staffed, then I have that direct correspondence with
15 the program director at DBHDD. And then once I hire
16 a program coordinator, then my interactions are much,
17 much less frequent.

18 Q Your Apex coordinator communicates with
19 DBHDD staff at least on a monthly basis?

20 A By submitting the report -- she may not
21 have like a conversation -- yes.

22 Q In your role as deputy director, do you
23 communicate with employees at DCH?

24 A Not -- no.

25 Q Do you know if anyone at Aspire

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

74

1 communicates with --

2 A Not that I'm aware of, unless there is an
3 investigation or, you know, a specific request of
4 them, and that usually would go through our chief
5 compliance officer.

6 Q In your role as deputy director, do you
7 communicate with anyone at GDOE?

8 A No, unless it is in partnership with
9 DBHDD. So there have been times where we have had
10 collaborative calls linking, you know, someone at a
11 local level with another partner at a local level.
12 So we have had times where we have done that. I
13 cannot tell you who those people are.

14 Q Prior to stepping into your role as
15 deputy director, did you communicate with GDOE staff?

16 A Yes, and around those occasions. So it
17 would be if there was a joint meeting. There have
18 been times where we have been asked to speak on
19 panels where there were other individuals from GDOE
20 that were there. So that would be really the extent
21 of it.

22 Q In your role as deputy director, do you
23 communicate with employees at the Oak Tree Regional
24 GNETS program?

25 A In my role as deputy director, no, not at

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

75

1 this time, no. My Apex coordinator, she has more of
2 those interactions at this point.

3 Q Why does your Apex coordinator
4 communicate with them?

5 A With the director over GNETS? It would
6 be for collaboration of care. So it be if there is a
7 child that is enrolled in GNETS, you know, just kind
8 of discussion of the child's needs, you know, how to
9 best serve them, school's concerns, how we can
10 support them.

11 Q Are there any regular meetings that you
12 attend as deputy director that we have not already
13 discussed today?

14 A Not that I'm aware of.

15 Q Are there any other committees, working
16 groups, collaboratives that you participate in that
17 we haven't already discussed?

18 A I am a part of a co-response
19 collaborative with the Georgia CSB Association. I am
20 part of the clinical directors work group with the
21 Georgia CSB Association. I am also part of what is
22 called the PAC, which is a -- an advisory group that
23 DBHDD had put together of professionals who are
24 considered to be experts in a certain field, just to
25 kind of help advise policies, procedures, you know.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

76

1 Probably more of these at the state level.

2 Q So when you say that this group advises
3 policies and procedures at the state level, is this a
4 group that is advising DBHDD about its own policies
5 and procedures?

6 A It's around looking at standards that had
7 been in place and ways to improve them. One example
8 that I can give you would be LIPT. That was a
9 priority at the state level to really revitalize it
10 and to improve the outcomes from that meeting and, as
11 a result, we were able to put together, you know, an
12 orientation to LIPT. And that was all kind of --
13 that came out of that advisory meeting.

14 Q Did DBHDD select you and say we would
15 like you to participate in this group?

16 A They invited me, yes. They asked me to
17 be a part of it.

18 Q Where are the other individuals with
19 expertise from?

20 A Throughout the state of Georgia and the
21 CSBs. So it is, you know, members of the various
22 CSBs. And it may be in youth and young adults or it
23 may be crisis stabilization services, substance
24 abuse.

25 Q When was the last time that this PAC

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

77

1 group met?

2 A We met very consistently prior to the
3 COVID pandemic and we met in-person, and that was on
4 a quarterly basis. Since that time, I think we've
5 only met once, and I believe that was sometime in
6 2022, and that was via a Zoom call. And I can't
7 remember what month. I think -- it was in the fall,
8 I believe, but I'm not quite sure.

9 Q Do you remember any of the agenda items
10 for that conversation?

11 A The agenda items were usually around the
12 different categories. So it would have been
13 intervention and prevention; it would have been
14 residential services, which includes crisis
15 stabilization, youth and adults; adult behavioral
16 health; and intellectual development disabilities.
17 There may have been another category but I can't
18 remember.

19 Q Who at DBHDD is present for those
20 conversations?

21 A The different department heads for those
22 areas. So it would have been Dante McKay was
23 involved for the youth; and then, at the time, it was
24 Teri Timberlake for the adult side; and then the
25 other program directors, as well.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

78

1 Q Has this PAC group ever discussed Apex?

2 A I -- I don't recall it -- I don't recall.
3 It may have been one of the goals that, you know, was
4 a priority. I recall most specifically the
5 discussion of LIPT.

6 Q I'd like to transition to talking about
7 GNETS.

8 When did you first become familiar with
9 the GNETS program?

10 A I think I first became familiar with it
11 probably right around the time that I started serving
12 a child in a school. And so it was probably -- I'm
13 looking at my years -- maybe around 2015 or 2016.

14 I had always known that there were
15 alternative schools, but I did not know the
16 difference between an alternative school and a
17 psycho-educational behavioral school.

18 Q What is your understanding now of that
19 difference?

20 A My understanding now of that difference
21 is that your children who are in GNET schools have
22 severe persistent mental health disorders and
23 behavioral health disorders. And those children
24 oftentimes have, you know, outbursts in such a way
25 that it's difficult for them to, you know -- to be

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

79

1 successful in a classroom setting, you know, that is
2 a larger sized public classroom setting.

3 And alternatives schools is children who
4 have had some behavioral disruptions, but the goal is
5 for them to transition back into their regular ed
6 school setting.

7 Q Do you understand that students at the
8 GNETS program are meant to stay in the GNETS program
9 or is there a goal for them to also transition?

10 A I'm not sure. I'm not sure.

11 Q Is it your understanding that the purpose
12 of the GNETS program has been the same since you
13 first learned about it?

14 A I'm sorry. Say that again?

15 Q Is it your understanding that the purpose
16 of the GNETS program has remained the same since you
17 first learned about it?

18 A I don't know. I don't know.

19 Q Do you consider GNETS placements to be
20 restricted?

21 A I'm not -- I don't know if they're
22 restrictive or not. The interactions that we had
23 had -- that I've had with the staff of the GNET
24 school that I was mostly interacted with was
25 supportive of the youth and really trying to serve

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

80

1 the youth in a safe environment that met their needs.

2 When I visited the classrooms, I did
3 not -- I did not get the sense that they were
4 restrictive, other than they were really trying to
5 ensure the safety of the children that were there.
6 The particular child that I worked with, you know,
7 could be very aggressive and so that was something
8 they were very conscious of.

9 Q Are you familiar with any restrictive
10 educational placements for public school students in
11 Georgia?

12 A I am not familiar with that, no.

13 Q Are you familiar with any of the criteria
14 that exists for placing students in restrictive
15 educational places?

16 A I have not seen the specific criteria for
17 that. I can only speak to the -- to, you know, the
18 specific children that I saw, child that I saw. And
19 that was that they had been in a public school
20 setting and had multiple suspensions, that they had
21 behaviorally acted out in such a way that it was
22 unsafe for themselves and for the other children, that
23 they were not thriving academically, that, you know,
24 they were failing their classes or not doing their
25 work at all.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

81

1 So that's my experience with the
2 children, you know, that I know of who've been at
3 GNET schools.

4 Q Have you played any role in the process
5 of students being transitioned into more restrictive
6 education settings?

7 A No. Usually that decision was made and I
8 just supported the child wherever they were.

9 Q Have you visited any GNET centers?

10 A No.

11 Q Have you ever worked in a public school
12 where GNETS placements were not available for
13 children?

14 A In a public school? I think there are
15 several. Yeah, several of them that I listed did not
16 have a GNETS co-located with them. Is that what
17 you're asking?

18 Q I'm wondering if there were ever schools
19 that you worked in where children have no option to
20 be placed in GNETS at all.

21 A Not that I'm aware of.

22 Q Are you familiar with the term continuum
23 of care?

24 A Yes.

25 Q How would you define continuum of care?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

82

1 A I would define continuum of care, being
2 able to provide access to resources and care along a
3 full spectrum. So being able to serve a -- an
4 individual at whatever level of need they had and
5 ensuring that there aren't any gaps in wherever that
6 person may be on that continuum.

7 So you may have someone who would benefit
8 from just outpatient behavioral health services, all
9 the way to someone who needs, you know, a higher
10 level of care, which would be like your crisis
11 stabilization or long-term residential.

12 Q What are the higher levels of care within
13 the continuum that exist for young people?

14 A So for the behavioral health continuum,
15 it would be -- and I'll speak for Aspire
16 specifically -- it would be your outpatient services
17 where a child or a young adult may just need, you
18 know, an assessment and therapy. And then, you know,
19 a little higher level would be therapy and physician
20 services, so medication management. And then a
21 community support individual, which is like case
22 management services for young people.

23 And then, if a child has additional needs
24 for us, it's the Mental Health Clubhouse, which is an
25 after-school program that really promotes skill

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

83

1 building and, you know, kind of addressing the mental
2 health challenges and reducing stigma. And then
3 other specialty services. So that could be, you
4 know, first episode psychosis services, or
5 transitional age services. On the adult side, it
6 could be supportive employment services.

7 And then a higher level of care would be
8 you are -- it would be like first or crisis
9 stabilization, all the way to residential.
10 Residential would be a longer term care, but still
11 meant to be temporary. So it's really only supposed
12 to be, you know, two to three months and then
13 transitioning back to the community. It doesn't
14 always work that way.

15 Q Would you say that any of the higher
16 levels of care that you just described are
17 restrictive?

18 A No. Our goal really is to provide
19 nonrestrictive environments. There are times when
20 individuals -- and when I'm speaking to this, I'm
21 only speaking to the adult side because that's what
22 I'm familiar with at our agency -- where an
23 individual may be a threat to themselves or others,
24 in which, for a very short period of time, they may
25 have to be on -- you know, in seclusion until they

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

84

1 are able to regulate.

2 But our goal through our organization and
3 also promoted through DBHDD is that we provide
4 nonrestrictive care.

5 Q Are you familiar with self-contained
6 classrooms?

7 A Vaguely, yes. And my understanding of
8 that, it is, you know, children that, you know, have
9 to have a very small number or one-to-one kinds of
10 interactions with an educator.

11 Q Would you say that a self-contained
12 classroom could be appropriate in terms of providing
13 a higher level of care?

14 A I think that that really is dependent on
15 the child and on their -- their mental health
16 diagnosis and their ability to regulate their
17 emotions and their behaviors. Some of the children I
18 have worked with have had a really challenging time
19 being able to be around other children because they,
20 you know, would really threaten to harm that other
21 child.

22 So think it really is dependent on each
23 child and their diagnosis and the severity of their
24 symptoms.

25 Q Would you consider a GNETS placement more

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

85

1 restrictive than a self-contained classroom?

2 A I can't speak to that. I'm not sure.

3 Q Do you know whether the continuum of care
4 requires some students to be placed in settings more
5 restrictive than self-contained classrooms?

6 A I can't speak to that. I'm not sure.

7 Q Are you aware of any restrictions or
8 supports that are available in GNETS that are not
9 available in general education settings?

10 A I'm not aware.

11 Q Do you believe that it is important for
12 students to be served in their local school district?

13 A Yeah, I believe that that's important.
14 That -- I believe that a child, you know, as much as
15 we are able, should be served in the community in
16 which they live, yes.

17 Q Why is that important?

18 A Well, I think because it fosters a sense
19 of support and stability, though I do recognize that
20 that is not always the case for a child. I recognize
21 that there are times where the family struggles to be
22 a support system. I recognize that sometimes there
23 are schools and other stakeholders that are not
24 supportive or -- you know, for various reasons.

25 But by and large I ascribe to, you know,

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

86

1 the belief system that a child is best served in the
2 community in which they live.

3 Q Do you think it is important that
4 students have the opportunity to interact with
5 neuro-typical peers?

6 A I think when they're able to, yes.

7 Q Why is that important?

8 A Well, I think sometimes children who
9 struggle with typical behaviors, they can learn from
10 children who demonstrate typical behaviors. I think
11 sometimes they can learn how to regulate themselves
12 by modeling what they see in other children. I also
13 understand that this is not always a possibility, but
14 it's a standard.

15 Q When you say it's a standard, is there a
16 particular basis for that?

17 A No, it just -- it's human development.
18 You know, that children learn by, you know, modeling
19 what they see and mirroring, you know, those that are
20 around them. So it is human growth and development,
21 you know, that that would happen.

22 It doesn't always happen that way, but --
23 but that is typically how we learn and grow.

24 Q Do you recall whether you have worked
25 with any students who were placed in self-contained

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

87

1 classrooms?

2 A I do not recall.

3 Q When you served students in schools, did
4 you encounter any students who, if they were given
5 appropriate supports, could not attend a
6 self-contained classroom because of their behavior?

7 A Will you ask that question again?

8 Q Yes. When you have had the experience of
9 serving children in schools, did you ever encounter a
10 student who you believed, even if they were given
11 appropriate supports, would not be able to attend a
12 self-contained classroom because of their behavior?

13 A Yes. I have two children, specifically,
14 that I worked -- one I worked directly with, the
15 other I worked as a supervisor of the staff for that
16 child. And those children both started in regular ed
17 school settings and their behaviors included both
18 eloping from the classrooms or running out of the
19 classroom, running out of the school itself, and also
20 to harming themselves and other children.

21 And for those reasons, you know, my
22 understanding of a self-contained classroom, you
23 know, even with two staff in that room, I think it
24 would be extremely challenging for those children to
25 have been able to be in that classroom and remain

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

88

1 safe, and the safety of the other children being, you
2 know, a threat as well.

3 Q Did those two students that you mentioned
4 attend GNETS?

5 A They did.

6 Q Were they at Merry Acres?

7 A They were.

8 Q In addition to eloping, self harm and
9 harm to others, are there any other behaviors that
10 you believe make it difficult for students to attend
11 self-contained classrooms?

12 A I don't -- I think those are the most
13 extreme behaviors. I think most of the other
14 behaviors that I've interacted with with children can
15 be shaped and be, you know, worked with, but in those
16 situations they were very dangerous.

17 MS. ADAMS: We'll go ahead and go
18 off the record.

19 THE VIDEOGRAPHER: The time is
20 11:18 a.m. We're going off the record.

21 (Brief pause.)

22 THE VIDEOGRAPHER: The time is
23 11:38 a.m. We are back on the record.

24 BY MS. ADAMS:

25 Q Okay. So I wanted to talk to you a bit

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

89

1 more about the two students that you mentioned who
2 were placed in GNETS.

3 A Sure.

4 Q So we talked about their particular
5 behaviors, elopement, self harm, harm to others, and
6 I wanted to talk about each of them individually and
7 just understand a bit more about their individual
8 experience.

9 A Sure.

10 Q So we don't need to reveal their names,
11 but if we can just have one of the children in
12 mind --

13 A Sure.

14 Q -- and talk about their experience first.
15 So at what point did you meet this young
16 person? Were they currently in a general education
17 environment?

18 A They -- yes, they were.

19 Q Okay. Do you know what services they
20 were receiving to support them when you first
21 encountered them?

22 A I can't be sure, but I believe they had
23 received the IEP services and -- and some additional
24 supports in terms of -- I believe one had, like a
25 paraprofessional working, you know, with him. I

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

90

1 can't remember any other real specifics to that.

2 Q Do you know whether that student received
3 any reinforcements as to what appropriate behavior
4 looked like?

5 A Can you give me some examples?

6 Q Was that student ever told that their
7 behavior was, in fact, appropriate or that their
8 behavior wasn't appropriate and why?

9 A Yes, yes.

10 Q Do you recall any specific examples of
11 when that student was told what appropriate behavior
12 looked like?

13 A I can't remember exactly, but I do
14 believe -- I know that our -- you know, like myself
15 and my staff worked with him around, you know,
16 keeping his hands to himself, staying seated in his
17 seat, not running out of the classroom. So just
18 redirecting those behaviors that, you know -- yes.

19 And in a way that -- you know, we did
20 offer -- I know for our organization, we did offer
21 reinforcements to that. So we would look forward to
22 things that he could work towards that he would
23 identify himself, that were enjoyable to him. And
24 the school looked to us to help kind of formulate
25 what those plans would be.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

91

1 Q Do you know whether any behavioral
2 assessments were conducted for that child?

3 A Yes.

4 Q Were those conducted prior to GNETS
5 placement?

6 A Yes.

7 Q Was a functional behavioral assessment
8 conducted?

9 A I believe so, but I can't be certain.

10 Q What is a functional behavioral
11 assessment?

12 A It is a very thorough assessment that
13 determines a child's, you know -- kind of confirms
14 their mental health diagnosis, but also determines
15 their level of need and, you know, identifies
16 barriers to what would meet those needs. And also
17 gives some -- it gives a professional the ability to
18 give recommendations around the best continuum of
19 care that would benefit that child.

20 Q If the child were to have received an
21 FBA, who would have conducted that FBA?

22 A I believe it's a psychologist, but I'm
23 not quite sure, or the school -- the school
24 equivalent, like behavioral specialist, but I'm not
25 quite sure.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

92

1 Q Would any of the Aspire staff have been
2 involved in that FBA process?

3 A We would have been involved in providing
4 documentation, you know, through release of
5 information, that would help, you know, I guess guide
6 that decision-making process.

7 In our world, with Aspire, you know, kind
8 of the process goes that a child receives a
9 behavioral health assessment. We begin services, and
10 then if we believe that there are additional
11 functional issues, we often will refer a child for a
12 psychological evaluation.

13 And then as they begin -- you know, as
14 they begin to progress, needing additional needs,
15 that psychological, in addition to that functional
16 assessment, I believe, are what are used to inform
17 the decisions around placement educationally. That's
18 my understanding.

19 Q We were talking earlier about the types
20 of services that that child received in the general
21 education setting.

22 A Yes.

23 Q Do you recall kind of the percentage of
24 supports that were offered to the child that were
25 positive supports, where the child was encouraged or

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

93

1 affirmed in their behavior, as compared to corrective
2 type support?

3 A So I can only speak to Aspire. That is
4 really how we base our services. We don't use, you
5 know, disciplinary or punishing behaviors because we
6 know that's not effective by and large for children.
7 So in the services that we provided, it was all
8 around, you know, the child and family identifying
9 goals and, you know, reinforcing him for meeting
10 those goals.

11 In terms of the school, you know, we did
12 work with them to help to develop some like behavior
13 goals, as well, that lined up with some of the goals
14 that we had. And we gave them suggestions in terms
15 of how to reinforce that. And I know the schools
16 stated that they tried, you know, those types of
17 interventions, but I also know that the child
18 experienced suspensions and, you know, those kinds
19 of, I guess, measures, as well.

20 Q Did you observe any of the supports being
21 provided in the classroom setting?

22 A I did not directly, no.

23 Q When you talk about some of the services
24 that Aspire was offering, were any of those evidence
25 based or evidence informed?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

94

1 A Yes. So cognitive behavior therapy, you
2 know, is one, you know, that is almost always used,
3 you know, and it's one that was used with these two
4 individuals. With one of the other children, we did
5 use the CTR because he had some psychosis. And so we
6 really did try to work with him to engage him and
7 reduce the hallucinations and the delusions.

8 I'm trying to think if there were any --
9 we also did implement some of the trauma-focused
10 because one of the children, particularly, had a
11 significant level of trauma that he had experienced
12 in his childhood.

13 Q Did you find any of the evidence-based or
14 evidence-informed practices to be beneficial to that
15 first child that we're talking about?

16 A Some -- some. You know, some. What we
17 found oftentimes and is the case with both of these
18 young men, was that their level of functioning often
19 did not give them the ability to -- to cognitively
20 process, you know, what their thoughts and their
21 feelings were to be able to apply that to changing
22 and reframing.

23 And so what we often found in our
24 treatment with these children is that behavior, you
25 know, therapy or behavior modification, if -- if it

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

95

1 was going to work, that was going to be the modality
2 of treatment that worked best with them, which is
3 just really reinforcing when they make good choices
4 versus, you know, when they're harming themselves or
5 another child.

6 Q How often did you meet with the student
7 throughout, say, a given week?

8 A Between myself and the other staff, we
9 were -- we were meeting with that child multiple
10 times a week. So -- and -- and also engaging with
11 the parents, you know, of each of those respective
12 children.

13 Q We talked just a little bit earlier about
14 behavioral assessments that were conducted for this
15 first child that we're talking about.

16 A Yes.

17 Q Do you know who conducted that behavioral
18 assessment?

19 A I can't recall.

20 Q Who generally would be responsible for
21 that?

22 A It would be a licensed clinician. I may
23 have completed one of them, but I really can't
24 recall.

25 Q Could it have been a licensed clinician

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

96

1 at the school itself?

2 A No, it would have been at Aspire. The
3 behavioral health department assessment, certainly,
4 it was someone from Aspire that provided it.

5 Q Okay. What is the level of training or
6 expertise for a person --

7 A They would have a Master's degree in
8 professional counseling or a related field and
9 typically, you know, either be fully licensed or
10 associate licensed and have experience around, you
11 know, providing those assessments.

12 Q Let's talk about -- how long was Aspire
13 working with this first child before they were placed
14 in GNETS?

15 A I want to say it was a school year. I
16 believe that when we became involved with him, that
17 he was in that school setting for about a year prior
18 to being moved to a GNET school.

19 Q During that year, are you aware of anyone
20 collecting data on that child's behavior over time?

21 A What we -- what my understanding from,
22 you know, a behavioral health service is that we
23 wanted to make sure that he was receiving all of the
24 services and care that he needed in the school
25 setting, and so we helped the family through ensuring

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

97

1 that an IEP was in place, and then the behavioral
2 plan was also put in place. And then I think as --
3 you know, as we realized that he was unable to reach
4 his goals, that's when they began moving towards
5 making that decision to move him to that higher level
6 of care.

7 Q Do you know who in particular was
8 responsible for tracking changes in behavior or
9 collecting any kind of data points about him?

10 A I think at the school level, I believe it
11 was the school counselor who was largely involved in
12 that process, and then maybe the I -- you know, the
13 IEP specialist. You know, they work together. I
14 think there was an IEP specialist there who was
15 helping to support the family in that way.

16 And if I recall, I remember there being
17 at least one or two meetings where we came to the
18 table and, you know, and they had the family there
19 and kind of discussed his progress or lack thereof.
20 And that's been my experience, not just with this
21 child, but in multiple school systems with different
22 children, that kind of was the progression that we
23 saw.

24 Q Was there any discussion in particular
25 during these meetings about the function of the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

98

1 child's behavior, in particular?

2 A What do you mean by function?

3 Q So kind of what was motivating the
4 behavior, not just the behaviors themselves?

5 A They -- they would ask our -- you know,
6 Aspire's, you know, kind of thoughts around like, you
7 know, kind of the roots of this. And for us, it
8 really -- you know, for me, looking, there were
9 several variables that I was able to point out as,
10 you know, kind of causes of or functions of the
11 behavior, which included everything from family
12 history of mental illness and it truly being a mental
13 health diagnosis, to lack of family stability and
14 support and those kinds of things, trauma. One of
15 the children had a history of sexual abuse.

16 Q We talked earlier about how you
17 personally did not observe the services that the
18 school was implementing in the classroom?

19 A Right.

20 Q Did anyone at Aspire observe services in
21 the classroom?

22 A I can't recall. It is very possible that
23 the community support individual who would have been
24 the one to create the behavior chart, for lack of
25 better words -- it could have been that that person,

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

99

1 you know, worked with the educator, but I don't
2 recall.

3 Q What kinds of training do Aspire
4 clinicians have in conducting FBAs?

5 A They don't have any training about
6 conducting FBAs. They don't conduct those. Yeah.
7 They only conduct the behavioral health assessment,
8 which is a clinical tool that we use just to kind of
9 determine the child's diagnosis and really get a
10 history of the child, yeah.

11 Q Are you aware of the type of training
12 that school personnel have in --

13 A I am not aware, no.

14 Q Are you familiar with applied behavioral
15 analysis training?

16 A I am.

17 Q Do you know whether any Aspire staff have
18 training in that?

19 A We do not.

20 Q Is there any reason why Aspire's staff do
21 not have that particular training?

22 A It is a separate licensure with the State
23 of Georgia and until, really, the last three or four
24 years, there have not been very many applied
25 behavioral analysis specialists, really in the state

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
100

1 of Georgia as a whole. It's something that has been
2 a focus in terms of recruiting, and really a lot of
3 the schools did not offer it as a specialization.

4 And so, you know, when I was coming up
5 and until recently, you know, kind of taking that
6 counseling pathway was the way that you would serve
7 clients. Now it's much more specialized and popular
8 and, you know, many of the universities offer it as
9 a -- as a track. So that would be the reason why.

10 Also, it was a service that, you know,
11 had to have a separate authorization, you know, and
12 pay scale. So --

13 Q Let's transition to talking about the
14 second child that you mentioned.

15 A Sure.

16 Q -- who was placed -- I'm sorry, before we
17 do that.

18 Leading up to the actual placement of
19 this first child into GNETS, what, if any, role did
20 Aspire have in talking about whether the child was
21 going to be placed in GNETS?

22 A I think we did meet with the school, with
23 the public school and, you know, heard their concerns
24 and we were able to see that the school felt very
25 overwhelmed about being able to meet the needs of

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

101

1 this child. And so we did not offer any
2 recommendations, you know. All they said is that
3 this was the pathway that they felt would be best
4 suited for this child. And we really just wanted to
5 understand how we could continue our services, you
6 know, in that capacity. And so we were able to --
7 when he transitioned, we transitioned with him.

8 Q So the school did not ask for your
9 recommendation or your advice about whether the child
10 should be placed in GNETS?

11 A Not that I recall. They may have, you
12 know, and I -- I did not know -- at that time I did
13 not know enough about -- I knew that the school
14 itself, as it stood, was not supporting the child the
15 way that he needed. And so that was -- my
16 recommendation is something's got to change, but, you
17 know, in terms -- I really -- I relied on the school
18 system to know best what pathway that child needed.

19 Q Do you feel like the school had
20 sufficient resources and training and staff to
21 support that child?

22 A I don't believe any of the Dougherty
23 County schools have adequate resources that they
24 need. I think that's a struggle for -- I mean, this
25 community, particularly, is one of the ones in the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
102

1 state of Georgia that struggles most.

2 Q And going back to the topic of applied
3 behavioral analysis, would you say that that
4 particular skill set or specialization is more
5 popular now than it was when you were in your
6 educational training?

7 A Say that again. I'm sorry.

8 Q The applied behavioral analysis
9 specialization, would you say that is now more
10 popular --

11 A Yes.

12 Q -- than when you were in school?

13 A For sure, certainly. I started my
14 graduate studies in the state of California, and at
15 that time they were far advanced in providing, you
16 know, those types of services and, you know,
17 specializations than when I moved to Georgia. When I
18 moved to Georgia, it was not well known or heard of.
19 And it really hasn't been until the last probably
20 three or four years, you know, that -- like I said,
21 I'm seeing more of them offered at the universities
22 and --

23 Q Okay. Moving to the second child that
24 you mentioned was placed in GNETS?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
103

1 Q I have a lot of the same questions --

2 A Sure.

3 Q -- about that young person. So at what
4 point did you meet with that child? Was that child
5 in a general education setting?

6 A I believe when I -- if he was, it was for
7 a very brief period of time. I can't recall. I
8 think it was very brief, but not a very long period
9 of time before he was transitioned over.

10 Q Okay. And what understanding did you
11 have of the services that that child was receiving in
12 general education?

13 A Very similar to what I shared with the
14 other child. You know, some attempts at
15 reinforcement with behavior modification. Kind of
16 your behavior charts and, you know, working
17 one-on-one with the child, you know, having that
18 additional staff available. The school counselor,
19 you know, making some attempts to, you know, do some
20 psycho-education with him and, you know, emotion
21 regulation.

22 Q Did you observe any of those services
23 being offered in the classroom?

24 A I did not.

25 Q Are you aware of any Aspire staff that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

104

1 observed those services in the classroom?

2 A I'm not sure. Very similar to the last
3 situation. It may have been a community support
4 individual who did, but I'm not sure.

5 Q Do you know if a behavioral assessment
6 was conducted for that child?

7 A At Aspire, yes.

8 Q Do you know if an FBA was conducted?

9 A I'm not sure.

10 Q Do you know if any of the services that
11 that child received prior to being placed in GNETS
12 were evidence based or evidence informed?

13 A Through our organization, yes. With that
14 individual, we did work on some of the -- he is the
15 one that we used the CTR with and the cognitive
16 behavioral therapy and the trauma-informed therapy.
17 I think we even did some play therapy with him, as
18 well, because he had significant trauma.

19 Q Would you say that your team worked with
20 that child for longer than three months prior to him
21 being placed in GNETS?

22 A It may have been maybe at three months.
23 Yeah, maybe at three months.

24 Q So you don't think that your team worked
25 with that child longer than three months,

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

105

1 approximately --

2 A Before he was placed in GNETS?

3 Q -- before?

4 A I really can't recall. I'm not sure.

5 Q Do you think that your team had worked
6 with that child longer than six months prior to the
7 child being in GNETS?

8 A I don't know. Yeah, I don't know.

9 Q Do you recall any of the school staff
10 collecting any data on that child's behavior prior to
11 GNETS placement?

12 A I don't recall.

13 MS. ADAMS: Let's go off the
14 record.

15 THE VIDEOGRAPHER: The time is
16 12:01 p.m. We're going off the record.

17 (Brief pause.)

18 THE VIDEOGRAPHER: The time is
19 12:45 p.m. We're back on the record.

20 MS. ADAMS: Okay. Welcome back.
21 So I have a few more questions about some
22 of what we talked about before the break.

23 THE WITNESS: Okay.

24 MS. ADAMS: But before I dive back
25 into substance, just to put on the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
106

1 record. For the videographer, of the
2 total seven hours that we have for today,
3 how long have we been on the record?

4 THE VIDEOGRAPHER: Currently we're
5 at two hours and 18 minutes on the
6 record.

7 MS. ADAMS: Okay. Thank you.

8 BY MS. ADAMS:

9 Q So we had been talking about two students
10 who you had worked with who eventually were placed in
11 GNETS, and we talked about the fact that there were
12 IEP team meetings.

13 I just wanted to clarify, was anyone from
14 Aspire ever at those meetings?

15 A Yes.

16 Q Was that you?

17 A I was at one of the meetings, and I think
18 at that point I had transitioned into the -- a
19 different role and so then the direct clinician was
20 involved from that point on.

21 Q Okay. Which schools did these two
22 students attend?

23 A The Dougherty County middle school GNETS.
24 So it would have been at Merry Acres Middle School.

25 Q Were those students always at Merry Acres

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

107

1 even before they went to the GNETS?

2 A I don't recall the schools that they were
3 at before.

4 Q Do you know whether the schools that they
5 were at prior to GNETS were participating in PBIS?

6 A I don't recall.

7 Q I have a question about how you and other
8 Aspire staff ended up working with students in
9 schools.

10 We talked about how sometimes you would
11 be referred to work with these students and you would
12 meet with the family first and build a rapport.

13 A Yes.

14 Q Can I clarify. Did you ever receive a
15 referral directly from a school to work with a child?

16 A I do not recall how those referrals came
17 in, but it is common practice for us to receive
18 referrals directly from a school, and that includes
19 public schools and GNET schools.

20 Q When you receive referrals from schools,
21 how does that process usually work?

22 A We have a streamlined process for anyone
23 who wants to make a referral, including schools, and
24 that is we have a standard referral form that is
25 e-mailed to a centralized e-mail, and then it is

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
108

1 processed at our intake office.

2 And then, you know, an initial assessment
3 is set up based on the type of referral that it is.
4 So if it is from an Apex school, then we understand
5 that the assessment will take place in the school.
6 We also give the family voice a choice. So if
7 preference is that it be a school assessment or a
8 in-clinic assessment, they have that choice.

9 Q Do schools ever share any data about
10 students when they make referrals?

11 A Only that is on the referral form, which
12 would be the child's name, date of birth, any
13 demographic information that will help us to be able
14 to then contact the family to be able to set up that
15 initial assessment.

16 Q Do schools ever share any behavioral
17 referral data with you?

18 A They will give symptoms that kind of
19 validate the need for the referral, but other than
20 that, not in that initial referral. Once the child
21 is established in services with us, we will complete
22 our release of information and then data can be
23 exchanged.

24 Q Can you give me some examples of what you
25 mean by symptoms?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

109

1 A Symptoms of a behavioral health disorder.
2 It could include impulsivity, hyperactivity, mood
3 swings, behaviorally acting out. It can include self
4 harmful behavior, it could include elopement from the
5 home or the classroom. It can include harm to
6 animals. Any -- anything like that, that would
7 describe a behavioral health disorder. Mood swings,
8 anger outbursts.

9 Q Once data is shared, what kind of data is
10 shared from the school?

11 A From the school, it can be grade reports,
12 behavioral reports. It can be, you know, information
13 from an IEP. It can be teacher conference
14 information. Really, any information that's
15 pertinent to the treatment of the child.

16 Q We were talking about behavioral
17 assessments earlier when we were talking about those
18 two students?

19 A Yes.

20 Q And when we talk about behavioral
21 assessments, I just want to clarify, were you
22 referring to behavioral health assessments?

23 A Yes.

24 Q Are there any other types of assessments
25 that were conducted for those two students?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

110

1 A Our organization standard, we -- as a
2 standard, we complete behavioral health assessments,
3 suicide risk assessments. There -- we have other
4 scales that we use, like an ADHDD -- an ADHD scale.
5 We may -- I think we have a trauma scale that is used
6 from time to time. And then a CANS, which is
7 assessment of needs scale, is also completed.

8 But standard scales, every -- with every
9 single child includes the CANS, the suicide
10 assessment and the behavioral health assessment.

11 Q Are you aware of any other assessments
12 that the school conducted for those children?

13 A I'm not aware.

14 Q We were also talking about applied
15 behavioral analysis?

16 A Yes.

17 Q And I'm wondering if DBHDD or any other
18 State entity offers any training around that
19 particular expertise?

20 A I'm not aware of any.

21 Q Would Aspire be interested in attending
22 that type of training?

23 A Yes.

24 Q When we were talking about at least one
25 of the students and their particular experience, I

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

111

1 believe you mentioned that Aspire determined that
2 that child would primarily benefit from behavior
3 modification services?

4 A Yes.

5 Q Does Aspire have staff that are formally
6 trained in behavior modification?

7 A Other than training from like our
8 licensure, we -- there may be occasional trainings
9 that are offered, but none that I am formally aware
10 of.

11 Q Are any Aspire staff formally trained in
12 designing reinforcement systems?

13 A Sensory modulation, the training that we
14 discussed earlier, that was a training that did give
15 some instruction around that. I'm -- I don't
16 think -- I'm not aware of any others that come to
17 mind right now.

18 Q Do you know which Aspire staff, other
19 than you, attended that training?

20 A At the time that we took it, all of the
21 youth and young adult staff were in that training,
22 but since that time we've had staff that have left.
23 We have occasionally provided that retraining because
24 we were able to receive, you know, the presentation
25 from that and we were able to provide that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

112

1 retraining.

2 Q I believe that -- when we were talking
3 about the two students who were placed into GNETS, I
4 believe that you said that there was an Aspire staff
5 member who, I think, had a title around community
6 support?

7 A Yes.

8 Q Is that staff member trained in behavior
9 modification?

10 A So we have -- we have agency trainings
11 that discuss the types of services that they can
12 provide to a child, and part of that training
13 includes skill development and skill building, and
14 part of that also includes assistance like with
15 creating different types of charts and systems to
16 help children to be successful. That can include a
17 chore chart, you know, a behavior chart. So
18 that's -- that's part of that.

19 Q The individual who serves as a community
20 support staff member, what is their educational
21 background?

22 A They can be anything from high school
23 with some experience in a related field, all the way
24 up to Bachelor's a degree or even a Master's degree.
25 But to be at the high school level, they've got to

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

113

1 have some other similar experience. So maybe, you
2 know, working in a school system or working in
3 another mental health related agency.

4 Q Do any of the individuals who have served
5 as community support staff had education experience
6 beyond a Bachelor's a degree?

7 A They may. I mean, it's a possibility for
8 them to have it. It just is a lower level of a job
9 so you don't see often people with a Master's degree
10 operating in that role.

11 Q We have talked about some of the
12 different types of programs that Aspire offers, and I
13 think we've talked a bit about therapy in particular.

14 Can you tell me whether Aspire uses any
15 specific evidence-based or evidence-informed
16 curriculums when it's implementing any particular
17 therapy?

18 A Actual curriculums? Let me think for a
19 second. We have used ART, which is aggression
20 replacement treatment. We are in the process of
21 implementing the Seven Challenges curriculum. We
22 have utilized also -- I just lost my mind --
23 conscious discipline. That is another curriculum
24 that we have used. If I think of any others, I will
25 let you know.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

114

1 Q Are Aspire's staff trained in any of
2 those curriculums?

3 A I was trained in the ART, and then my
4 current youth services coordinator is trained in the
5 conscious discipline curriculum, and they are also
6 working on getting the training for the Seven
7 Challenges, as well.

8 And the other thing that I did want to
9 note is that our staff does implement -- I don't know
10 that it's evidence based, but our staff does
11 implement, in our Apex summer camps, the PBIS
12 concepts. So it's something that we integrate into
13 the services that we provide.

14 Q You mentioned that you and the, I think,
15 youth coordinator --

16 A Yes.

17 Q -- are trained in a few curriculums. Are
18 any of the therapists that are providing therapy
19 trained in the curriculum?

20 A Yes. I believe there's -- the staff are
21 currently going through CPP, which is a -- it's a
22 model that services children from infancy all the way
23 up, and I believe that there are several of the staff
24 that are being trained in that, as well.

25 And I -- I think that the conscious

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

115

1 discipline is also integrated into that, which is
2 where -- and there are several of the staff currently
3 that are trained -- being trained in that.

4 Q So there are several staff being trained
5 in that currently --

6 A Yes.

7 Q -- but they're not already trained in it?

8 A Right.

9 Q We also talked about CBT and
10 trauma-focused CBT. We talked about your training in
11 that.

12 A Yes.

13 Q Have any other Aspire staff been trained
14 in that?

15 A Yes. The current youth services
16 coordinator has been trained in the trauma-focused
17 CBT. I -- I'm not sure, but one other clinician may
18 have gone through that, as well, but I'm not sure of
19 that. And there's a myriad of other evidence-based
20 curriculums that staff have gone through on their
21 own, I just can't recall them at this time.

22 I think -- I know I've got at least one
23 clinician who has been through play therapy. I just
24 can't recall right now.

25 Q We talked about how the two students that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
116

1 you worked with ended up in GNETS, and their
2 behaviors included elopement and self harm and harm
3 to others.

4 A Yes.

5 Q What are the other reasons that students
6 can be referred to GNETS?

7 A I am not aware of other reasons why a
8 child would be referred.

9 Q If a student engaged in property
10 destruction, would they be required to or be at risk
11 of being placed in GNETS?

12 A I don't know.

13 Q If a student was perceived as aggressive,
14 would they be required to be placed or at risk --

15 A I don't know.

16 Q And sorry, just for the court reporter,
17 we'll try not to talk over each other.

18 If a student was perceived as defiant,
19 would they be required to be placed in or at risk of
20 being placed in GNETS?

21 A I don't know.

22 Q If a student was perceived as severely
23 disruptive, would they be required to be placed in
24 GNETS or at risk of being placed in GNETS?

25 A I don't know.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

117

1 Q Are students who are sent to the office
2 frequently typically the kinds of students who would
3 benefit from Apex?

4 A That is a possibility, yes. I mean, if
5 there are, you know, functional disruptions in the
6 classroom setting and it could be, you know, because
7 of hyperactivity or impulsivity or it could be, you
8 know, acting out towards the teacher or other
9 students, yes.

10 Q If school staff are unable to manage a
11 student, could Apex be an appropriate service for
12 that student?

13 A It -- it depends. It's possible. It
14 just depends on, really, you know, what the situation
15 is between that teacher and that student.

16 Q Are there any particular factors or
17 considerations that you would consider in that
18 particular situation?

19 A It would need to be mental health
20 related. So it would -- it would need to be that
21 there's likely a mental health disturbance that is,
22 you know, preventing that child to be able to
23 function in the classroom and not be sent to the
24 office. So that would be the factor.

25 Q Has any Aspire staff member ever referred

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
118

1 anyone to GNETS?

2 A I don't know.

3 Q Does Aspire have any kind of procedure or
4 policy in place for doing so?

5 A No.

6 Q Do you have any belief as to whether
7 Aspire staff members should or should not be
8 referring students to GNETS?

9 A I don't think that that is within the
10 scope of the function and the role that we play in a
11 child's life. We really are designed to support the
12 youth and family around their mental health diagnosis
13 and serve them in whatever setting they find
14 themselves in.

15 Q Can students with EBD benefit from Apex?

16 A I think they can, yes.

17 Q Is there anything in particular that is
18 especially beneficial about Apex for that student
19 population?

20 A I think being able to address a child's
21 needs and barriers to learning and barriers to
22 growing and developing as a young person in multiple
23 settings is important, including in the academic
24 setting.

25 Q Do GNETS staff ever refer students to

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
119

1 receive services from Aspire?

2 A They have the ability to and I have
3 received referrals, yes, from GNET schools.

4 Q How often does that occur?

5 A I don't know now.

6 Q Do you know when the last time a GNET
7 staff member referred a student to Aspire was?

8 A I don't know the last time that a child
9 was referred, but I can tell you we are currently
10 serving children in GNET schools.

11 Q Are any of those children receiving Apex
12 services?

13 A They are providing -- they are receiving
14 school-based services.

15 Q But not Apex services?

16 A There's really not a difference. They
17 are receiving -- they receive the behavioral health
18 assessment, the individual therapy, family therapy if
19 the family is engaged, and community support
20 individual. I -- we have Apex schools that are
21 co-located with GNET schools and so all of the same
22 services are offered in those schools.

23 I think there's only one school that we
24 serve -- that we do not serve that is a GNET school
25 and that's because it is also not an Apex school.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
120

1 Q Does Aspire partner with any standalone
2 GNET centers?

3 A No. I don't believe there are any in our
4 catchment area.

5 Q Do the students participating in GNETS
6 that Aspire serves receive Aspire services at their
7 school or somewhere else?

8 A Say that question again. I'm sorry.

9 Q So I'm trying to understand if the
10 students who are placed in GNETS that Aspire
11 serves --

12 A Yes.

13 Q -- are receiving those Aspire services at
14 their school or elsewhere?

15 A They're receiving the services at their
16 school.

17 Q Let's transition to talking about the
18 Apex program more broadly.

19 Do you know when the Apex program was
20 created?

21 A My first introduction to the Apex program
22 in the state of Georgia is in -- was in 2015 or
23 shortly before that time.

24 Q Do you know whether it existed before
25 then?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
121

1 A I don't know.

2 Q You joined Aspire in June 2011; is that
3 right?

4 A Right.

5 Q And so during the time that you were at
6 Aspire from 2011 through 2015, you had not heard of
7 Apex?

8 A I had not.

9 Q What is your understanding as to why Apex
10 was created?

11 A My understanding as to why Apex was
12 created was that it was identified that there were
13 gaps in service care to children and their families,
14 and that it -- research had determined that it was
15 beneficial for children to be offered and to receive
16 school-based mental health services. And so, at that
17 time, DBHDD made this an available program throughout
18 the state of Georgia and it was offered to us.

19 Aspire and myself -- from 2011 all the
20 way up until 2015, I and my staff, were already
21 providing school-based services. So it was a
22 formality in terms of just changing the name of it
23 and then having a little bit more formal of a process
24 developed.

25 Q Does Aspire provide manualized

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
122

1 treatments?

2 A Can you explain what that is?

3 Q Are there any specific manuals that
4 Aspire follows to provide its services?

5 A We have program manuals that kind of
6 outline each program and the deliverables that will
7 take place within that.

8 Q Are there any other types of manuals for
9 specific types of therapies or other types of
10 services?

11 A No.

12 Q Was Aspire's catchment area experiencing
13 any of the problems that Apex was created to address?

14 A I would say yes. Yes.

15 Q What are some of the problems that the
16 catchment area was experiencing?

17 A Our catchment area has a high prevalence
18 of mental health and substance use disorder, so we
19 have a high prevalence of children who are in the
20 foster care system.

21 This region struggles with mental health
22 stigma, and therefore individuals feeling comfortable
23 with accessing mental health and substance use
24 services. And our catchment area also has struggled
25 with families feeling reticent to engage in the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
123

1 mental health system due to that sigma. And so
2 engagement with care has been a challenge and
3 school-based services offer to change some of that.

4 Q How do you know that these are some of
5 the problems that the catchment area has been
6 experiencing?

7 A Well, our community has a community needs
8 assessment and, you know, mental health challenges is
9 one of the number one needs in the community. And
10 just living in this community for, you know, almost
11 16 years, I've seen it in the children and the
12 families that I've served over the course of that
13 time.

14 Q Were any staff at DBHDD involved in the
15 creation of Apex?

16 A I believe so, yes.

17 Q Do you know any of the particular
18 individuals who were involved?

19 A The two that I know who have been engaged
20 in conversation and discussion around the Apex -- you
21 know, development of the Apex program are Layla
22 Fitzgerald and Dante McKay.

23 Q Were you involved in the creation of the
24 Apex program?

25 A Only at our local level. So I have been

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

124

1 involved in development of the program, expansion to
2 the schools, those types of things.

3 Q Is one of the requirements of the Apex
4 program that CSBs partner with schools to provide
5 services?

6 A Yes.

7 Q How are the partnerships between CSBs and
8 schools documented around Apex?

9 A How is it documented? Through formalized
10 MOUs.

11 Q When Apex was first being created, did
12 you participate in any meetings about how CSBs would
13 provide school-based mental health services through
14 Apex?

15 A Yes.

16 Q What were those meetings?

17 A When Apex was originally created, there
18 was some orientation trainings, really around like
19 what Apex was, the deliverables that would take
20 place, you know. It was very generalized. And so
21 really the development of the program itself, here
22 locally, I kind of found my way to make it, you know
23 -- to develop those procedures myself.

24 Q The meetings that we're talking about,
25 were those facilitated by DBHDD?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
125

1 A Yes.

2 Q Do you know whether any community
3 stakeholders were invited to those meetings?

4 A There have been community stakeholder
5 meetings that discussed Apex, yes. In the beginning,
6 the meetings that I was referencing was directly
7 between DBHDD and the community service boards that
8 were going to receive the Apex funding.

9 Q Are you aware of whether any community
10 stakeholders were invited to speak with DBHDD at the
11 time that Apex was first getting off the ground?

12 A I'm not aware.

13 Q Does Aspire sometimes refer to the
14 individuals it serves as consumers?

15 A Yes.

16 Q How do Aspire's con -- how do Aspire's
17 consumers arrange to pay for services?

18 A We offer -- we provide services
19 regardless of ability to pay. So if a person has
20 insurance, then we will collect their insurance
21 information and we will pursue any prior
22 authorizations or authorizations that are needed. If
23 the individual does not have ability to pay, then we
24 have what's called state contracted services. And so
25 that person -- we'll complete an authorization for

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
126

1 that person and still provide those services.

2 And then some -- some of our specialty
3 services our what we consider non-billable services,
4 and those are paid for through the contracts that we
5 hold.

6 Q Are some of Aspire's Apex services funded
7 through Medicaid?

8 A I believe so, yes.

9 Q Do you know approximately how many school
10 districts Aspire partners with to provide Apex
11 services?

12 A Yes. We are partnered with Worth County,
13 Dougherty County, Early County --

14 THE WITNESS: Do you have that all?

15 MS. COHEN: I have the list. I was
16 wondering if Crystal wanted to mark this.

17 THE WITNESS: I can go through them
18 if you'd like me to.

19 MS. ADAMS: Thank you, this is
20 helpful.

21 BY MS. ADAMS:

22 Q So this first page on Exhibit 781 lists
23 all the schools that Apex is -- that Aspire is
24 providing Apex services?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
127

1 Q What are the job titles of the Aspire
2 staff who serve Apex schools?

3 A They are clinicians and community support
4 individuals. And then the children also benefit from
5 physician services, but they are not in the school.
6 So they would come to our clinic to be able to
7 receive those services.

8 Q Is Aspire currently over capacity in
9 terms of its ability to serve its Apex partners?

10 A No.

11 Q Does Aspire currently have excess
12 capacity to provide services?

13 A No. We've got just enough.

14 Q Has Aspire experienced any staff
15 vacancies in the past four years?

16 A Yes.

17 Q How many vacancies has Aspire experienced
18 in the past four years?

19 A I think, at the height in the last three
20 years, we had a 30 percent vacancy, and that was
21 during the pandemic. In our youth and young adults
22 program currently, we are 100 percent staffed minus
23 one clerical staff person. So we are in very good
24 shape.

25 Q So you do not currently have any

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
128

1 vacancies specific to the Apex program?

2 A No.

3 Q Are there any reasons why it can be
4 difficult to fill vacancies specific to the Apex
5 program?

6 A Yes. We live in a rural community. So,
7 in general, not just specifically to Apex, it is
8 harder for us to find licensed clinicians. The one
9 specific way that is difficult for us to keep staff
10 that are licensed serving schools has to do with the
11 fact that we've had schools to recruit some of our
12 staff. So that has been an issue. And then pay is
13 sometimes a barrier, as well.

14 Q Do you know who sets Aspire's staff
15 salaries?

16 A So my understanding is that it is a State
17 set standard. There's a range of pay. And that's
18 based on our contracts that we hold, so.

19 Q Do you know if there have been any
20 changes made to that set State rate for salaries?

21 A I'm not aware.

22 Q Does Aspire offer mental health services
23 through the Apex program year-round?

24 A Yes.

25 Q Has that always been the case since its

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
129

1 Apex program was created?

2 A Yes. For Aspire, yes.

3 Q Does Aspire coordinate with senior
4 administrators at each school that it serves?

5 A Yes.

6 Q How do you know that that happens?

7 A Initially, I was involved in those
8 meetings and I have written that into kind of the
9 standards of our Apex procedures, that that is how we
10 enter into a school is first by meeting with the
11 school superintendent, the school district
12 superintendent, to discuss and kind of orient them to
13 Apex. And then to meet individually with the schools
14 that, you know, we would like to partner with, to
15 meet with their administrative staff first, which
16 would -- it mostly consists of the school principal
17 or principals and the school counselors and the
18 school social worker, if there is one, or district
19 social worker.

20 Q How often do Aspire staff communicate
21 with senior administrators?

22 A When senior administrators, when we're
23 talking senior administrators, we're talking about
24 the principal and like the school counselor. At a
25 minimum -- but I know much more than this -- at a

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
130

1 minimum, twice a year. Once is at the beginning of
2 the year to prepare for the school year and to kind
3 of do some planning for the school year because we
4 provide trainings, and at the end of the year, as
5 well, to kind of to do a wrap-up to discuss barriers
6 and challenges. But I assure you, it's more than
7 twice, but those are the two formalized times.

8 Q Do you have a sense of -- do you have a
9 sense of whether there is a best practice in terms of
10 how frequently Aspire staff communicate with those
11 types of senior administrators?

12 A I -- I mean, yes, and that is kind of
13 what we established would be -- there's also the --
14 I'm trying to think. I just lost my train of
15 thought.

16 But the best practice that I established
17 was a minimum of those two times a year, and then
18 they -- the staff are interacting very closely with
19 the school counselor on a much more regular basis
20 than that, yeah.

21 Q What are some of the topics that Aspire
22 staff discuss with those people?

23 A So needs of the school and the school
24 staff. So that can be anything from needs in terms
25 of, you know, resources and curriculums around, you

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
131

1 know, mental health or substance use; trainings that
2 they would like to have for their teachers or their
3 families; if they -- types of groups that they would
4 benefit from for their children. With the school
5 counselor, we will staff children regularly.

6 And then, you know, with the school
7 principal, it's, you know, very similarly, if there's
8 a specific need with a child, you know, we can
9 discuss that at any time.

10 Q Is it important for Aspire staff to
11 coordinate with the senior administrators at the
12 school?

13 A Certainly.

14 Q Why is that important?

15 A Well, one, you know, it establishes a
16 mutual trust and a relationship with the school that
17 is supportive in nature. It keeps an open dialogue
18 around the needs of the school, the needs of the
19 children, the needs also of Aspire staff.

20 It allows us to have really important
21 discussion around, you know, maybe some changes that
22 need to be made around how we're providing services
23 or what can be improved, as well as like certain
24 issues that that culture -- that school culture is
25 having, whether it's bullying or suicidality or self

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
132

1 harm. When we have the discussion with school
2 administration, then we can begin to gear our
3 services that we're providing towards those needs.

4 Q Do Aspire staff attend parent events at
5 each school that it serves?

6 A Yes.

7 Q How do you think that is happening?

8 A It is our standard that we attend the
9 open houses for each school. We also attend any of
10 the major events that the school hosts. And each
11 school district is very different about how they plan
12 their events, but our staff are -- you know, they
13 understand and are expected that, you know, those are
14 times that they're going to participate.

15 If a family liaison or a family partner,
16 parent partner, has kind of an event that's going on,
17 then the Apex staff, the Aspire staff attend.

18 Q Do you believe that Aspire staff could
19 attend events even more frequently than they do?

20 A I -- I feel confident that our staff are
21 very much in attendance to the important events that
22 are going on at the schools. And I have staff, too,
23 that attend individual children's events, sporting
24 events and, you know, chorus events, those kinds of
25 things, as well.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
133

1 Q Is there anything that limits a staff
2 member's availability from attending parent events?

3 A I think probably just, you know,
4 maintaining a schedule of kids to see. There may be
5 barriers there.

6 Q Can you tell me more about what you mean
7 by that?

8 A Well, you know, our staff have case loads
9 of children that they see based on the number of
10 referrals that are, you know, received from the
11 school and so, you know, being able to balance that I
12 think sometimes can be a challenge. If you've got,
13 you know, several children on your case load, there
14 may be conflicts in timing and those kinds of things.

15 Q Why is it important for Aspire staff to
16 attend parent events?

17 A I think it's important because the
18 parents then can begin to see us as a support system
19 to the family and that we are genuinely invested in
20 not only their child's success, but their success as
21 well. I think that we often can serve as advocates
22 on behalf of the family when there's a
23 misunderstanding, you know, about the child or the
24 family system as a whole.

25 And I think, all the way around, you

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

134

1 know, when we have the capacity to wrap around a
2 family, they do much better.

3 Q Do parent events offer Aspire staff an
4 opportunity to identify additional students with
5 behavioral needs that could benefit from Apex?

6 A So an open house, absolutely. At each
7 school, we have a table set up and we have referral
8 forms there and the school -- the staff who are the
9 clinicians and the case managers in the schools are
10 there to answer any questions, to engage with family
11 members to discuss, you know, how they could, you
12 know, follow through with the referral process.

13 And there's other events throughout the
14 year where we have the same capacity to be able to do
15 that.

16 Q Are you familiar with the terms Apex 1.0,
17 2.0 and 3.0?

18 A Yes.

19 Q Can you explain what those three
20 different concepts are?

21 A My understanding of that is really just
22 the funding that is set aside for each of those
23 programs. And so Apex 1.0 was the very first, you
24 know, initiation of funding to begin Apex services.
25 2.0 was the expansion of that and 3.0 was the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
135

1 expansion again.

2 Q And I believe earlier we talked about how
3 Aspire was approved for Apex 3.0, correct?

4 A Yes.

5 Q Do you know whether any of the schools
6 that Aspire serves are implementing PBIS?

7 A Yes.

8 Q What is your understanding of PBIS?

9 A It's positive behavioral intervention. I
10 don't -- I think it's services. I don't know what
11 the S stands for. But, essentially, it is a
12 whole movement, a whole curriculum that really
13 supports positive behaviors in the school setting.

14 Q Do you know approximately what percentage
15 of the schools that Aspire serves are participating
16 in PBIS?

17 A One entire school district, which
18 consists of, I think, five schools, and then there
19 are -- I know -- there's one other school that I know
20 of that is engaged in PBIS, and then I'm not sure of
21 the rest.

22 So all of Lee County School System
23 engages in PBIS, all their schools do, and we are in
24 all of the Lee County schools as Apex providers. And
25 then Lake Park Elementary School in Dougherty County

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
136

1 also utilized PBIS, and we are an Apex school
2 provider there, as well.

3 Q What is your understanding of the PBIS
4 tier system? Do you know that there are multiple
5 tiers?

6 A I'm not as familiar with that, no.

7 Q Do Aspire's staff play a role in
8 supporting the schools in their kind of tiered
9 process?

10 A Yes. Yes. And if I -- if I understand
11 you correctly, I think the tiered system is really
12 based on the level of need that a child has and, yes,
13 we are a part of that. We come in when it's
14 identified that a child could benefit from additional
15 services around potential mental health or behavioral
16 issues.

17 Q Do you ever communicate with a school
18 PBIS team?

19 A My staff do. I do not, but, yes, my Apex
20 coordinator is -- I believe she's -- I know she's a
21 part of the Lee County team, so she attends those
22 meetings.

23 Q That's Hollis Smith?

24 A Yes.

25 Q Thank you. What are the benefits of

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
137

1 school-based mental health services that are provided
2 through the Apex program?

3 A The benefits to schools that are
4 partnered with Apex school-based includes
5 school-based services offering, include behavioral
6 health assessments, individual therapy, family
7 therapy, community support individual, and then, of
8 course, access to our physician and medication
9 management. There are also offerings of trainings,
10 any specialized trainings that the school feels that
11 they need.

12 Also, you know, we can offer some
13 resources to the schools that are mental health
14 related. So in one school we had created a sensory
15 room where anyone in school could access at any time.
16 In other schools we've provided, you know, emotional
17 and behavioral, you know, books around like grief or
18 around managing your mental health. Those kinds of
19 things. In one school we had gotten some pedal desks
20 for children who have ADHD or who have anxiety and so
21 movement for them was helpful. Those were all some
22 things that we've been able to support schools with.

23 Q And if we're thinking more broadly or
24 maybe at kind of a higher level in terms of those
25 benefits, in terms of the positive outcomes, the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
138

1 positive impacts, what would you say some of those
2 benefits are?

3 A So some of the measures that we have been
4 able to track with children who are enrolled in Apex
5 schools is an improvement in grades, a decrease in
6 out-of-school suspensions and in-school suspensions,
7 a decrease in truancy and just an overall increase in
8 mental health stability. You know, we've even had
9 children to indicate, you know, that they feel like
10 they have an increased ability to have connections
11 with their peers, those kinds of things.

12 Q That's wonderful. How difficult is it
13 for young people in Aspire's catchment area to access
14 mental health services if they do not receive those
15 services through Apex?

16 A I don't believe, for our organization, it
17 is a -- as much of a challenge as it is in other --
18 maybe other counties. We provide school-based
19 services even if we are not in an Apex school. So we
20 still will be able to provide the clinical and the
21 case management services there.

22 And our organization is -- also has a
23 physical location in every county that we serve,
24 whereas some of the other community service boards do
25 not have a physical outpatient clinic in every

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

139

1 county. We do that. In a couple of our counties we
2 share a location with the health department, but we
3 are in every county that we serve.

4 Q You were just mentioning that you feel
5 like maybe Aspire might be able to serve young people
6 even if not through the Apex program --

7 A Right.

8 Q -- but that maybe other CSBs might not be
9 able to do the same?

10 A Right.

11 Q Can you tell me a little bit more about
12 why it is that maybe they might have a harder time?

13 A Right. I -- I think, really, it was a
14 goal of mine when we -- when I moved into the role,
15 that access to care should, you know, be minimized --
16 the barriers, a minimal barrier. And so I have
17 worked really hard to find ways that children and
18 their families can access care with us.

19 And I had noted that transportation in
20 our rural community seems to be a real challenge. We
21 only have one public transit system in all of the
22 eight counties that we serve. So it was just a
23 priority of mine, and also of the CEO's, that we
24 reduce those barriers. And so, like I said, before
25 we even -- before I even knew what Apex was, I was

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

140

1 providing school-based services and the clinicians
2 under me were, as well. The case managers were also
3 in the schools. So I was already working on those
4 partnerships.

5 I can't speak to the other CSBs in terms
6 of, you know, for them, you know, what their barriers
7 may be. I'm just speaking for us.

8 Q What were some of the ways that you
9 leveraged partnerships and resources to overcome some
10 of the potential barriers to providing services?

11 A So I was very focused on building
12 relationships with our school partners, you know,
13 spending time getting to know them and letting them
14 know what our services were and how we could help
15 them and support them. And so it was development of
16 those relationships, I think, that kind of opened the
17 door even more when Apex wasn't offering, to be able
18 going to into schools.

19 And then every year that we offered Apex,
20 I worked to really maximize how we went in a school,
21 why we would go into that school, to make sure that
22 we were utilizing those funds as best as, you know,
23 we could. And then, when offered the opportunity for
24 expansion, to expand in as many schools as we could.

25 Q How would Aspire utilize or benefit from

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

141

1 further expansion of Apex so that it could serve
2 potentially even more students?

3 A I think one of the ways would be to -- to
4 be able to have a moderate case load. Sometimes
5 staff do have to serve a couple of schools, you know,
6 in order to -- you know, to be able to -- in order to
7 be able to bring in revenue, in order to -- I mean,
8 really, because at the end of the day we are a
9 business. So I think being able to have, you know,
10 more capacity, for one staff person to be -- you
11 know, more staff, more capacity, you know. But I
12 feel like our agency does a really good job with the
13 staff and the capacity that we have.

14 Q We've talked about how Aspire has a
15 contract with DBHDD for its Apex program.

16 A Yes.

17 Q Do you recall when Aspire first entered
18 into a contract?

19 A I believe the first year was 2015.

20 Q Okay.

21 MS. ADAMS: Actually, yes, let's go
22 off the record.

23 THE WITNESS: You're fine.

24 THE VIDEOGRAPHER: The time is

25 1:39 p.m. we're going off the record.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
142

(Brief pause.)

THE VIDEOGRAPHER: The time is
1:46 p.m. We are back on the record.

MS. ADAMS: Sorry. I forgot to
ask. Melanie, are you back?

MS. JOHNSON: I am back.

MS. ADAMS: Okay. Great.

MS. COHEN: Are you miked up?

THE WITNESS: I am, yes.

MS. ADAMS: I'd like to ask the
court reporter to mark this next document
as Exhibit 784.

(Plaintiff's (Oosterveen)
Deposition Exhibit No. 784 was marked for
the record.)

BY MS. ADAMS:

Q You have been handed what has been marked
Plaintiff's Exhibit 784. This is a copy of the
fiscal year 2022 Apex contract between DBHDD and
Aspire. Aspire produced this document to the United
States in response to a subpoena. The internal
temporary reference that DOJ has assigned to this
document is R0078853. The document is 30 pages long.
I'm not going to ask you about every
single page. I will guide you so we'll look at

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
143

1 specific pages.

2 A Okay.

3 Q But you can certainly take a moment to
4 review and let me know when you're finished.

5 A Okay.

6 Q Are you familiar with this document?

7 A Yes.

8 Q Is Aspire operating under a more current
9 contract than the one that we are looking at?

10 A No.

11 Q Does Aspire renew its contract for Apex
12 every year?

13 A Yes.

14 Q Let's turn to the fifteenth page. The
15 bottom half of that page has the heading Section 2,
16 Special Terms and Conditions. Do you see that page?

17 A Yes.

18 Q Underneath that heading is Paragraph
19 Number 201, Department and Contractor Agreements. Do
20 you see that?

21 A Yes.

22 Q A bit further down the page there is a
23 provision labeled A. Do you see that?

24 A Yes.

25 Q Provision A states: The contractor

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

144

1 agrees that the deliverables approved by the
2 Department is by reference made a part of this
3 contract and is attached hereto as Annex B.

4 Do you see that?

5 A Yes.

6 Q Let's look at Annex B, which is on the
7 twenty-second page. On that page, there is a heading
8 Georgia Apex Program Deliverables, correct?

9 A Yes.

10 Q Looking at the second paragraph, the
11 second sentence of that paragraph states: Mental
12 health concerns such as
13 attention-deficit/hyperactivity disorder, anxiety,
14 depression and family difficulties are -- often are
15 the root causes of poor academic performance,
16 disciplinary matters and school absenteeism and
17 truancy. Research shows that emotional behavioral
18 concerns present significant barriers to learning and
19 academic achievement.

20 Did I read that correctly?

21 A Yes.

22 Q The last sentence of that paragraph
23 states: This same research shows that mental health
24 interventions are effective and can significantly
25 improve academic performance scores.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
145

1 Did I read that correctly?

2 A Yes.

3 Q Are you familiar with the findings like
4 the one I just read?

5 A Yes.

6 Q Do you agree with these findings?

7 A Yes.

8 Q Let's look at the last full paragraph at
9 the bottom of the page. The second clause of the
10 first sentence of that paragraph states: DBHDD aims
11 to support the creation of statewide infrastructure
12 for school-based mental health programming.

13 Is that right?

14 A Yes.

15 Q Is the statement that I just read
16 consistent with your understanding of DBHDD's
17 intentions?

18 A Yes.

19 Q Below that paragraph there are three Apex
20 program goals listed. The goals are to: One,
21 provide for early detection of children and
22 adolescent mental health needs; two, increase access
23 to mental health services for children and youth;
24 and, three, increase coordination between community
25 mental health providers and their local schools and

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
146

1 school districts. The hoped-for result will include
2 a reduction of children and youth in Georgia with
3 unmet mental health needs, fewer discipline referrals
4 and increased academic performance among the children
5 and youth who receive this school-based mental health
6 services -- excuse me -- service.

7 Is that correct?

8 A Yes.

9 Q Do you believe that these three goals are
10 obtainable through the Apex program?

11 A Yes.

12 Q Does Apex need or would Apex benefit from
13 any additional support or resources to ensure that
14 these three goals are achieved?

15 A Yes.

16 Q What additional support or resources
17 would Aspire benefit from?

18 A Additional funding and, potentially,
19 having some input in some of the responsibilities or
20 deliverables.

21 Q When you say potentially having some
22 input in the responsibilities or deliverables, can
23 you share more about what you mean by that?

24 A Some of the deliverables that were
25 expected of the Apex staff or the providers can

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
147

1 become cumbersome and can sometimes but barriers in
2 place of the organization and the staff being able to
3 adequately provide care for the youth and their
4 families.

5 Q Are there any specific examples that you
6 have in mind?

7 A The 40 percent floor level time that's
8 dedicated to billable and direct services, that has
9 been a challenge to some of our staff, yes.

10 Q How has that been challenging?

11 A Because a great deal of the services that
12 we provide to youth and their families is considered
13 non-billable.

14 Q Is the State the entity that determines
15 what services are billable versus non-billable?

16 A Yes, and it's outlined here in the
17 contract.

18 Q Are there any particular factors that
19 could make it difficult for Aspire to achieve the
20 three goals that are outlined in the report?

21 A Not beyond what I just shared.

22 Q And I apologize, I meant are there any --
23 are there any factors that would make it difficult
24 for Aspire to achieve the goals outlined in the
25 contract? I said report.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
148

1 Do you believe that school-based mental
2 health services like Apex are critical to the
3 improvement of outcomes for children with mental
4 health needs?

5 A Yes.

6 Q Do you believe that school-based mental
7 health services like Apex are critical to reducing
8 students discipline referrals?

9 A Yes.

10 Q Does Aspire collect discipline referral
11 data?

12 A Yes.

13 Q How does Aspire do that?

14 A Through the report that is in the back of
15 the contract. There's a number of data elements that
16 we are expected to collect. We actually were already
17 collecting that information prior to Apex because we
18 wanted to be able to demonstrate, you know, that the
19 services were effective, and one of those is
20 disciplinary referrals.

21 Q What does Aspire do with that data?

22 A We -- we collect it internally so that we
23 can share that information to our executive
24 leadership team, to our board members, also to -- in
25 community meetings, just to demonstrate that the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
149

1 effectiveness of the services that we're providing.

2 And then with we also send that report in to DBHDD.

3 Q We touched on this a little bit, but can
4 you remind me again why collecting student discipline
5 referral data is important?

6 A It's important because it shows evidence
7 to Apex school-based services being an effective
8 outcome for children with mental health challenges.

9 Q Are there any other reasons why the data
10 is important?

11 A It has helped us to pursue other funding,
12 to -- also to be able to share with other school
13 administrative staff in other districts to show them,
14 you know, the ways that school-based services has
15 been effective, really to kind of get them on board
16 with our ability to come into their schools.

17 Q Do you believe that school-based mental
18 health services like Apex are critical do improving
19 students' academic performance?

20 A Yes.

21 Q Let's turn to Page 23 of the contract.
22 There is a heading Community Provider
23 Responsibilities and Deliverables, Updated for Fiscal
24 Year 2022. Do you see that?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
150

1 Q The first responsibility listed below the
2 heading states: Georgia Apex program funds are
3 designed to provide infrastructure seed funding to
4 cover expenses that providers cannot bill as
5 providers establish and grow their school-based
6 mental health programs.

7 Is that correct?

8 A Yes.

9 Q Is Aspire engaged in any infrastructure
10 or seed projects that cannot be billed through
11 alternative funding streams?

12 A Can you just explain that question?

13 Q Sure. So looking at this first
14 responsibility, I see that there are these particular
15 funds that are designed to provide infrastructure
16 seed funding.

17 A Yes.

18 Q So I'm wondering what, if any, activities
19 Aspire is engaged in that would benefit from this
20 infrastructure seed funding.

21 A We are engaged in them, yes. Yes.

22 Q And are there any particular programs or
23 projects that you can talk about?

24 A Apex has been one of them. The Mental
25 Health Clubhouse was one, as well. And I'm trying to

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

151

1 think of other seed funding. That's all I'm aware of
2 right now.

3 Q Are there any infrastructure or seed
4 programs that Aspire would like to implement but is
5 not able to?

6 A Not currently.

7 Q Are there any of those types of projects
8 in the past that Aspire wasn't able to implement when
9 it wanted to?

10 A Around youth and families, not that I'm
11 aware of. I think we are in -- I think we provide a
12 spectrum of care pretty well, yeah.

13 Q The next paragraph contains the second
14 responsibility which is: To expand current
15 school-based mental health services or initiate
16 school-based mental health services among targeted
17 local schools within respective service area.

18 Do you see that?

19 A Yes.

20 Q Has Aspire been able to expand its
21 service -- excuse me.

22 Has Aspire been able to expand its
23 services to additional schools within its service
24 area?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
152

1 Q Did it do so through Apex 2.0 and Apex
2 3.0?

3 A Yes.

4 Q Are there particular additional schools
5 that you recall Aspire expanding its services to?

6 A Through Apex 2.0 and 3.0? Yes, and that
7 is right here on your list. So Apex 1.0 was 2015 and
8 '16. I believe 2017 is 2.0 and I -- and 2018 is 2.0,
9 I think, and 2019, and then I believe '20, '21 and
10 '22 is 3.0.

11 Q Okay.

12 MS. COHEN: You're referring to
13 Exhibit 782?

14 THE WITNESS: Yes, '81.

15 MS. COHEN: '81. Excuse me.

16 THE WITNESS: Yes.

17 BY MS. ADAMS:

18 Q So looking at Exhibit 781, the schools
19 that were a part of Apex 1.0 were the schools under
20 2015, 2016, and the Apex 2.0 schools were between
21 2017 and 2019?

22 A I believe so.

23 Q And then the Apex 3.0 schools were the
24 '20, '21, 2022 schools?

25 A I believe so, yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
153

1 Q Thank you. The next paragraph contains
2 the third responsibility, which states: Targeted
3 schools will be selected based on factors including,
4 but not limited to, Title I status, attendance data,
5 CCRPI score, PBIS status, and School Climate Star
6 Rating.

7 Is that right?

8 A Yes.

9 Q What is the CCRPI score?

10 A I believe that is the school -- kind
11 of -- scoring, but I'm not familiar with anything
12 more than that. My Apex coordinator would know much
13 more of that.

14 Q Does Aspire consider any factors other
15 than the factors listed in this paragraph?

16 A Yes. We consider also the school's
17 desire to have a partnership with us because that
18 indicates that we will have a strong partnership and
19 collaboration, and also the number of referrals that
20 we receive from that school.

21 Q How does the number of referrals received
22 from a school impact the decision to target that
23 school?

24 A For us, historically, that has indicated
25 level of engagement in the school with mental health

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

154

1 services as a whole. So when we do not get any
2 referrals or very few referrals, traditionally it has
3 demonstrated a real difficult time continuing to get
4 referrals from that school, which also goes back to
5 school partnership and collaboration.

6 Q Are there any other factors that you --
7 that Aspire considers?

8 A Not in addition to these.

9 Q Are there any factors in this paragraph
10 or the two additional factors that you mentioned that
11 Aspire considers more important or given more weight
12 in deciding which schools to partner with?

13 A We really do look at the School Climate
14 Star Rating. We look at their -- of course we look
15 at their Title I status. Really, I mean, just to
16 kind of sum it up, we look at a school's need, you
17 know, and, for us, all of those things are in
18 alignment oftentimes. You know, you have a lower
19 attendance rating generally from the students. You
20 know, it's just the culture of the school. It really
21 is struggling, yeah.

22 Q Does a school's data in terms of their
23 disciplinary referrals impact whether Aspire is more
24 likely to target them for partnership?

25 A That's not necessarily information that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
155

1 we have access to prior going into a school. It
2 certainly impacts how we serve the school in terms of
3 really trying to work with the staff around some
4 different interventions and different ways of, you
5 know, managing a child, but it hasn't necessarily
6 been a determining factor for entering a school.

7 Q If you -- if Aspire had more access to a
8 school's behavior referral data when considering
9 whether to target that school, would that be
10 something that Aspire would consider?

11 A Sure. Sure.

12 Q Why would that be helpful for Aspire in
13 its decision making?

14 A Because it let's us know that, you know,
15 there are certainly children who, you know, have the
16 potential for some mental health diagnoses and some
17 need for some support and services. And, also, the
18 offering of some trainings to the staff around
19 understanding trauma and ACEs, which adverse
20 childhood experiences, and teaching, you know, the
21 staff around more positive interventions.

22 Q Is there any other data or information
23 that would improve Aspire's ability to identify which
24 schools it partners with?

25 A Not that I am aware of.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
156

1 Q The next paragraph contains the fourth
2 responsibility, and this is something that you
3 already raised earlier.

4 A Right.

5 Q It states: As a best practice, there is
6 a 40 percent floor level of time is dedicated to
7 billable direct services. These include behavioral
8 health assessments, diagnostic assessment, crisis
9 intervention, psychiatric treatment, community
10 supports and individual services, individual
11 outpatient therapy, group outpatient therapy, family
12 outpatient therapy and other.

13 Is that right?

14 A Yes.

15 Q You mentioned that this particular
16 responsibility can be a challenge for some of your
17 staff. Can you tell me a bit more about how this
18 particular responsibility impacts Aspire's work and
19 its staff's capacity?

20 A Sure. One, like I mentioned previously,
21 there's a large number of what would be considered
22 non-billable services that a clinician or a case
23 manager would need to be engaged in, and that's
24 including, you know, meeting with and interacting
25 with school staff. It includes providing, you know,

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

157

1 resources or tools. It also means maybe spending an
2 additional amount of time that's not billable with
3 the student or with their family members.

4 It's a complex formula -- it really is a
5 complex formula to -- to make Apex services work.
6 And that includes everything from having to negotiate
7 around a student's academic and non-academic
8 schedule, to how long to bill for a child, to
9 offering multiple services in one day to a child. I
10 mean, it's a very complex process that you have to
11 really think through for it to be successful.

12 Q This paragraph lists a number of direct
13 services. Are any of these services particularly
14 beneficial to students in Apex?

15 A Yes.

16 Q Are there any in particular or would you
17 say all of them are equally beneficial?

18 A Well, the -- the individual therapy is
19 very beneficial, group outpatient therapy is very
20 beneficial, family outpatient therapy and the
21 community supports individual, those -- and crisis
22 intervention, those, to me, are the most important to
23 take place in the school-based setting.

24 The behavioral health assessment is a
25 means to an end. It's really a matter of initiating

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
158

1 those services in a formality.

2 And the diagnostic assessment,
3 psychiatric treatment could be beneficial. It's just
4 not something that we offer in the schools because
5 it's another very complicated process of getting a
6 physician's time lined up with every single child.
7 It's -- so we do that in clinic.

8 Q I see. Okay. Are all of the services
9 listed either evidence based or evidence informed?

10 A Yes.

11 Q What kind are of training have Aspire
12 staff had with respect to each of these services
13 listed?

14 A So each of the respective staff who
15 function in those roles would have a formalized --
16 well, they would either have a formalized education
17 whereby they would receive the training and education
18 that they need, in addition to agency-specific
19 trainings to enhance their specialization, and then
20 also receive trainings from DBHDD or a DBHDD related
21 organization around that particular program itself.

22 And -- and then if there are, like, other
23 specializations, like play therapy specializations,
24 they would have those as well. Some of them do.

25 Q I have a similar question about this that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
159

1 I asked before.

2 Has Aspire used any particular curriculum
3 for any of these particular services?

4 A So we integrate the trauma-informed
5 therapies and practices in these the services. The
6 cognitive behavioral therapy, the trauma-focused,
7 cognitive behavioral therapy, play therapy. I do
8 have some staff who have taken some trainings around
9 dialectical behavior therapy, which is used sometimes
10 with children. The CTR that I referenced earlier.

11 And then, with our community supports, we
12 have a training that we have put together for those
13 staff to know how to provide those services, as well.

14 Q Does Aspire use any manuals that are
15 specific to any of these services or any of the
16 particular treatments?

17 A No manuals.

18 Q The next paragraph contains the fifth
19 responsibility and that states: As a best practice,
20 there is a -- excuse me -- as a best practice,
21 approximately 30 percent of time is dedicated to
22 non-billable services such as prevention, education
23 and early intervention services. These include, but
24 are not limited to, faculty consultation, student
25 services team staffing, support groups for students,

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
160

1 parent education, staff meetings and in-service
2 trainings.

3 Is that correct?

4 A Yes.

5 Q We've talked a bit already about the
6 types of non-billable services that Aspire provides.

7 Can you tell me, are there any particular
8 services in this paragraph that are particularly
9 beneficial to Apex students?

10 A Yes. Faculty consultation is extremely
11 beneficial. The student services team staffing are
12 very beneficial. Support groups, certainly. And
13 then the parent education and in-service training.
14 So really all of them, honestly, but particularly the
15 faculty consultation and the team staffings.

16 Q Can you explain what faculty consultation
17 involves?

18 A So that would be interactions with either
19 the teacher or the paraprofessional or the school
20 counselor around specific interventions or discussion
21 that will benefit the student and their family.

22 Q What training do staff members at Aspire
23 receive in order to provide faculty consultation?

24 A Nothing outside of the trainings that I
25 previously discussed with you.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
161

1 Q What is involved in team staffing -- or
2 excuse me -- student services team staffing?

3 A So that would be similar to like an IEP
4 meeting or a behavioral -- behavioral plan meeting.
5 And that would be when the teachers and the school
6 counselor, potentially the school social worker or
7 system social worker, principal and the behavioral
8 health provider at the table, and family members of
9 course. That would include the family.

10 Q Does Aspire offer all of the non-billable
11 services listed in this paragraph to each of the
12 schools that it partners with?

13 A Yes.

14 Q Who at Aspire oversees the non-billable
15 services that are provided?

16 A The Apex coordinator and then the
17 individual clinicians who are at each of the schools.
18 So the individual clinicians would be the ones to --
19 to initiate, and then they would have that dialogue
20 with the Apex coordinator about the outcomes.

21 Q Is there anything that Aspire would
22 benefit from to help Aspire provide these
23 non-billable services?

24 A I just think more ability -- you know, a
25 higher percentage of ability to provide those, you

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
162

1 know, higher than the 30 percent.

2 Q The next paragraph contains the sixth
3 responsibility, which is: To develop or expand
4 comprehensive intake referral and case management
5 processes.

6 Did I read that correctly?

7 A Yes.

8 Q Who at Aspire oversees this
9 responsibility?

10 A I did initially, and then it's something
11 that I continue to review with the current Apex
12 coordinator and her direct supervisor, the youth
13 services coordinator.

14 Q How does Aspire fulfill this particular
15 responsibility?

16 A We already had some standardized
17 assessment processes that were in place, the intake
18 procedures that were in place. We looked at how to
19 make it practical in the school setting. So we
20 adapted those processes somewhat. We also discussed,
21 you know, it with the schools to just make sure that
22 they were comfortable with the processes.

23 And initially, like with the referral
24 processes and the case management processes, that was
25 all with the school's feedback in terms of what their

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
163

1 preferences are. Like who's going to be the one to
2 submit the referrals, when a child can be pulled for
3 services, what their comfort level was with -- with
4 that.

5 So in the beginning, for Aspire, the
6 school's highly engaged in what those processes look
7 like.

8 Q Moving to the eighth paragraph, which
9 states: Ensure mental health services should be
10 offered year round, including a summer program, so
11 there is no disruption in services.

12 Did I read that correctly?

13 A Yes.

14 Q Who at Aspire oversees this
15 responsibility?

16 A The Apex coordinator, Hollis Smith.

17 Q Is there anything that Aspire would
18 benefit from so that it could fulfill this
19 responsibility even more effectively?

20 A I don't think so, no.

21 Q In the ninth paragraph, the
22 responsibility is: Obtain and maintain commitment by
23 the school leadership to support school-based mental
24 health services.

25 Is that right?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
164

1 A Yes.

2 Q Who at Aspire oversees this
3 responsibility?

4 A The Apex coordinator.

5 Q And how does Aspire fulfill that
6 responsibility?

7 A The way that we obtain commitment
8 initially is by setting up an introductory meeting
9 with the school administrative staff and then kind of
10 orienting them to what Apex school-based services are
11 and then getting a formalized MOU in place. And then
12 we would orient the entire school staff and faculty
13 and then we would begin implementation of the
14 services.

15 Q Is there anything that could help improve
16 Aspire's ability to fulfill this responsibility?

17 A No.

18 Q In Paragraph 11, the responsibility is:
19 Participate in all technical assistance opportunities
20 provided by the Georgia DBHDD Office of Children,
21 Young Adults and Families.

22 Correct?

23 A Yes.

24 Q What technical assistance opportunities
25 does the Office of Children, Young Adults and

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
165

1 Families offer Aspire?

2 A They offer collaborative calls. And I
3 can't recall -- they either take place quarterly or
4 monthly. I am no longer on those calls, but the Apex
5 coordinator attends those calls. And that is a time
6 when the program managers of Apex are on that call,
7 along with all of the other Apex providers in the
8 state of Georgia. And, you know, there are, at
9 times, various trainings that are offered or
10 questions that are raised from the field, you know,
11 from other community service boards around barriers
12 and challenges. It's just a time for that technical
13 assistance to take place. Reviewing the programmatic
14 reporting and those kinds of things.

15 Q Is there anything that would be helpful
16 for Aspire to be able to fulfill this responsibility
17 even more effectively?

18 A No.

19 Q The next paragraph, 12, states:
20 Participate in all evaluation activities as
21 facilitated by the DBHDD Office of Children, Young
22 Adults and Families.

23 What kinds of evaluation activities does
24 this office facilitate?

25 A I believe this is in reference to the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
166

1 programmatic report that has to be completed on a
2 monthly basis.

3 Q Who at Aspire oversees this
4 responsibility?

5 A The individual clinicians complete the
6 reports for their schools and then they submit them
7 to Hollis. Hollis then combines all of that data
8 into the one report and sends it up on a monthly
9 basis.

10 Q Let's turn back to the very first page of
11 this document. Do you see the heading Departmental
12 Administrative Information?

13 A Yes.

14 Q Underneath the heading are the words
15 Total Obligation, correct?

16 A Yes.

17 Q Does this contract establish a 234,144
18 total obligation for fiscal year 2022?

19 A Yes.

20 Q Let's turn to the sixteenth, page. At
21 the top of the page, there is the heading Section 3,
22 Contract Payment Provisions. Do you see that?

23 A Yes.

24 Q Do you see Paragraph Number 301,
25 Department Payment to Contractor?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
167

1 A Yes.

2 Q That paragraph states: The total
3 approved budget for this contract is \$234,144. The
4 Department will make payments to the contractor based
5 upon reimbursement for actual expenses incurred which
6 are within the approved budget.

7 Did I read that correctly?

8 A Yes.

9 Q Let's turn to the thirteenth page.
10 Toward the top of the page, there's the heading
11 Paragraph 136, Medicaid Reimbursable Services. Do
12 you see that?

13 A Yes.

14 Q That paragraph states: The contractor
15 agrees to comply fully with the Medicaid Policy and
16 Procedure -- and Procedures Manual and the DBHDD
17 Provider Manuals governing the categories of service
18 in which the contractor has been certified to
19 provide. The contractor agrees to fully comply with
20 the terms and services -- excuse me -- with the terms
21 and conditions set forth in Annex A.

22 Is that correct?

23 A Yes.

24 Q Let turn to Page 21, which is the first
25 page of Annex A. Do you see that first page?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
168

1 A Yes.

2 Q Towards the middle of the page there is a
3 sentence that begins with Therefore. Do you see
4 that?

5 A Yes.

6 Q That sentence states: Therefore, the
7 above-named provider does hereby agree as follows.
8 Did I read that correctly?

9 A Yes.

10 Q And then there is a list of provisions
11 labeled A through J below that sentence, right?

12 A Yes.

13 Q Toward the bottom of the page, Provision
14 H states: Assure that a claim is submitted for all
15 services eligible for reimbursement.

16 Correct?

17 A Yes.

18 Q Below that, Provision I states: Assure
19 that claims are reimbursed and that rejected claims
20 are pursued until resolution or final determination.

21 Correct?

22 A Yes.

23 Q Turning back to Page 16, do you see
24 Paragraph Number 304, Programmatic Report?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
169

1 Q The paragraph states: The contractor
2 agrees to submit a monthly programmatic performance
3 statistical report not later than the tenth working
4 day after the end of each month during the term of
5 this contract.

6 Is that correct?

7 A Yes.

8 Q And, later on, that paragraph states that
9 the report form to be used is attached as Annex D,
10 correct?

11 A Yes.

12 Q We talked about how Hollis Smith submits
13 these monthly reports, correct?

14 A Yes.

15 Q Do you serve any role in preparing or
16 submitting these reports?

17 A No.

18 Q Have you ever served a role in preparing
19 or submitting these reports?

20 A When Apex 1 was first initiated, yes.

21 Q Let's turn to Annex D, which is on Page
22 26. This page contains the heading Office of
23 Children, Young Adults and Families, Georgia Apex
24 Programmatic Report, correct?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
170

1 Q Does Aspire submit this form to DBHDD on
2 a monthly basis?

3 A Yes.

4 Q Does Aspire submit to DBHDD any other
5 monthly reports than this one?

6 A I'm not sure.

7 Q I believe about maybe 30 minutes ago we
8 were talking about the monthly reports that Aspire
9 submits, and one of the things that we were talking
10 about was data around behavioral referrals?

11 A Uh-huh.

12 Q And I think we had been talking about
13 whether Aspire submitted any behavioral referral data
14 to DBHDD. Let's take a look at this entire annex,
15 and can you let me know if you see any place in the
16 form that requests behavior referral data?

17 A I don't see that, which is what makes me
18 raise the question if there's additional information
19 that I -- I do believe that Hollis submits additional
20 information than just this reporting. I would just
21 have to verify that with her.

22 Q Okay.

23 A Because the data that we discuss her
24 having to submit is pretty intensive, so much more
25 than this. So I can't confirm currently that this is

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
171

1 the only report.

2 Q But to confirm, you do not see anywhere
3 in this document --

4 A No.

5 Q -- any request for behavioral referral
6 information?

7 A That's right.

8 Q Do you see anything in this annex that
9 requests information about the percentage of students
10 who are receiving a higher level of care?

11 A No.

12 MS. ADAMS: I'm going to ask the
13 court reporter to mark this next exhibit
14 as Plaintiff's' Exhibit 785.

15 (Plaintiff's (Oosterveen)
16 Deposition Exhibit No. 785 was marked for
17 the record -- withdrawn.)

18 BY MS. ADAMS:

19 Q You have been handed what's been marked
20 Plaintiff's Exhibit 785.

21 This is a copy of an e-mail from Nicole
22 Wasdin to Layla Fitzgerald and copying Lisa Spears.
23 The e-mail is dated October 23rd, 2017. The subject
24 is Aspire Apex Program. The bottom of the first page
25 is stamped GA03130008.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
172

1 There are numerous attachments to this
2 e-mail, but for now we will just focus on the e-mail
3 itself.

4 A Yes.

5 Q I am not going to ask you about every
6 single one of these pages.

7 A Sure.

8 Q You can take a moment to review and let
9 me know when you're ready.

10 A Okay.

11 Q Are you familiar with this e-mail?

12 A Vaguely.

13 Q Do you have any reason to doubt that
14 Ms. Wasdin e-mailed Ms. Fitzgerald and copied you?

15 A No.

16 Q Who is Ms. Wasdin?

17 A She was the current Apex coordinator at
18 the time.

19 Q Does she still work at Aspire?

20 A She does not.

21 Q And does Hollis Smith fill her position?

22 A Yes.

23 Q What was your professional relationship
24 with Ms. Wasdin at the time?

25 A I was her direct supervisor.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
173

1 Q Did Ms. Wasdin copy you on other e-mails
2 that she sent to DBHDD?

3 A Yes.

4 Q Why did she do that?

5 A As a proper chain of command, making sure
6 that I was informed of her communications.

7 Q Who was Layla Fitzgerald?

8 A She was the program -- she is the program
9 director for -- she oversees Apex.

10 Q Did she oversee Apex at the time of this
11 e-mail?

12 A I believe so.

13 Q What was your professional relationship
14 with Ms. Fitzgerald at the time?

15 A I interacted with her in the same manner
16 that Nicole did.

17 Q In the e-mail, Ms. Wasdin writes: Hi
18 Layla. Hopefully this is a good start to the
19 information you were asking for. The attachments
20 above, explained below, are specific to Apex and how
21 we have chosen to develop the program. There is also
22 a list of schools that we are currently providing
23 services in that are not covered under Apex funding.

24 Is that correct?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
174

1 Q Do you remember the information that
2 Ms. Fitzgerald was asking for that prompted
3 Ms. Wasdin to send this e-mail?

4 A I do not.

5 Q Looking at the list of schools Ms. Wasdin
6 provided, at the top of the third page of this
7 document, Ms. Wasdin wrote: GNETS Oak tree located
8 in Early County --

9 I'm sorry, I want to make sure you can
10 see. So I'm talking about the third page of this
11 packet.

12 MS. SHEPPARD: They are Bates
13 stamped at the bottom, if you want --

14 THE WITNESS: I see it. I see it.
15 BY MS. ADAMS:

16 Q And that page number is Bates stamped
17 GA03130010?

18 A Yes.

19 Q At the top of that third page, Ms. Wasdin
20 wrote: GNET's Oak Tree located in Early County but
21 comprised of Early, Miller and Calhoun students.

22 Is that right?

23 A Yes.

24 Q Why were Aspire's services at Oak Tree
25 GNETS not covered under Apex funding?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
175

1 A At that time, I'm not sure. I'm not sure
2 why they were not provided at that time. I know we
3 did serve the children in the schools.

4 Q But you just were not providing the
5 services through the Apex program?

6 A Right. I'm looking to see -- that would
7 have been -- Oak Tree would have been middle -- would
8 have been -- that one would have been Merry Acres.
9 I'm looking to see if we had become Apex schools with
10 them yet. We went into Merry Acres as an Apex school
11 in 2021.

12 Q Okay.

13 MS. LEVERT: I'm sorry to
14 interrupt, but the exhibit that you're
15 looking at, was that one previously
16 marked, Crystal?

17 MS. COHEN: Yes, Sandra, it was.

18 MS. LEVERT: We don't readmit the
19 same exhibit because it throws off our
20 tracking system. You just would -- I
21 would just include it in your documents,
22 but you don't readmit it as a new
23 exhibit. So can we change that on the
24 record, please?

25 MS. ADAMS: Yes, I'm sorry, Sandra.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
176

1 I had known that but I just forgot to
2 flag that for myself. I apologize.

3 MS. LEVERT: Thank you.

4 MS. ADAMS: So, I apologize. That
5 exhibit that we're looking at now should
6 not be marked Exhibit 785. That exhibit
7 was actually previously marked Exhibit
8 182. I apologize for that.

9 Thank you so much for jumping in,
10 Sandra.

11 (Previously marked Plaintiff's
12 Exhibit No. 182 was identified for the
13 record.)

14 BY MS. ADAMS:

15 Q Do you recall what funding source Aspire
16 relied on to serve Oak Tree GNETS during that time?

17 A Any non-Apex schools we either funded
18 through payment through our Medicaid, you know,
19 billable services or through another grant that we
20 had, which was called the System of Care grant. So
21 either -- it was both, actually.

22 So if we wanted to provide a training in
23 a school that was non-Apex, we would use the System
24 of Care funds, otherwise we would directly bill the
25 services to that child's insurance. That's how we

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
177

1 continue to operate now.

2 Q Excuse me. Ms. Wazden's e-mail included
3 the phrase -- on the first page, going back to the
4 first page -- how we have chosen to develop the
5 program.

6 In what ways did Aspire have autonomy in
7 developing its Apex program?

8 A We had autonomy in that we knew our
9 school, our school systems, and the culture of each
10 county that we served. And so we had that autonomy
11 to determine, you know, the best pathways to be able
12 to enter into a school, which schools we knew we
13 already had a good standing relationship with,
14 therefore better outcomes in terms of referrals and
15 students being able to be served.

16 Q Are there any other ways that Aspire had
17 autonomy in developing its program?

18 A Well, we were the first ones to develop a
19 summer program. That was something that had not been
20 done previously. It was not something that was
21 originally in the contract until DBHDD learned that
22 we were providing a summer camp, and so then it was
23 added to the contract after the fact. Also,
24 implementation of the PBIS curriculums in how we
25 interacted with the schools, that was something that

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
178

1 we had autonomy to do. And I'm trying to think of
2 other ways.

3 It really became the situation where
4 DBHDD looked to us in how we were structuring our
5 Apex program to dictate in the future how they asked
6 other community service boards to do the same in
7 their deliverables.

8 Q Looking at the list of attachments to
9 this e-mail on this first page in the actual e-mail
10 itself?

11 A Yes.

12 Q Do you see the attachment labeled Aspire
13 Apex School-Wide Data 2016, 2017?

14 A I'm looking for it.

15 Q It's the first attachment listed in the
16 e-mail attachments.

17 A Yes.

18 Q In a moment I am going show you that
19 attachment using the computer, and I'll ask you some
20 questions.

21 A Okay.

22 (Previously marked Plaintiff's
23 Exhibit No. 183 was identified for the
24 record.)

25 BY MS. ADAMS:

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

179

1 Q So this next exhibit is also one that has
2 been previously marked. This was previously marked
3 Exhibit 183. So I'm going to share my screen and
4 then I'm going to give you control in just a moment.
5 So you should now have control of the document on the
6 computer and we're just going to set you up so that
7 you can actually use the computer.

8 So, again, this is one of the attachments
9 to Ms. Wazden's October 23rd, 2017 e-mail to
10 Ms. Fitzgerald. It is an Excel spreadsheet with the
11 file name Aspire Apex School-Wide Data --

12 A Yes.

13 Q -- 2016, 2017. The -- this entire Excel
14 spreadsheet is stamped GA03130011.

15 So go ahead and familiarize yourself with
16 that and let me know when you're ready.

17 A I'm familiar with it.

18 Q Okay. So am I correct that in the sheet
19 there are five tabs containing data for five
20 different schools, Lee County Elementary School, Lee
21 County Middle School East, Robert H. Harvey
22 Elementary School, Worth County Primary School, and
23 Worth County Elementary School?

24 A Yes.

25 Q Am I correct that each tab contains data

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
180

1 for the 2015/2016 and 2016/2017 school years?

2 A Yes.

3 Q Does Aspire serve each of the schools in
4 this sheet?

5 A Yes.

6 Q Let's look at the second tab in the
7 sheet, which contains data for Lee County Middle
8 School East.

9 A Okay.

10 Q Toward the top of the sheet, there is a
11 heading Nine Weeks Comparison, correct?

12 A Yes.

13 Q Below the heading there are graphs
14 containing data about absences, behavior referrals
15 and grade point average, correct?

16 A Yes.

17 Q The first graph for each category
18 displays data for the first nine weeks of the
19 2015/2016 and 2016/2017 school years, correct?

20 A Right.

21 Q Then the second graph displays data for
22 the next nine weeks, the third graph displays data
23 for the nine weeks after that and the fourth graph
24 displays data for the final nine weeks of the two
25 school years, correct?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
181

1 A Yes.

2 Q Looking at the behavior referral data on
3 the second tab, during the first nine weeks of the
4 2015/2016 school year, the school had an average of
5 1.41 referrals, correct?

6 A Yes.

7 Q In the first nine weeks of the 2016/2017
8 school year, the school had an average of .47
9 referrals, correct?

10 A Yes.

11 Q How did Aspire obtain the data in this
12 spreadsheet?

13 A I believe we requested that data from the
14 school itself.

15 Q Did each school -- I'm sorry.
16 How was this data relevant to Aspire's
17 Apex program?

18 A It was data that we believed would
19 demonstrate positive outcomes to the services that we
20 were providing to the school.

21 Q Why would this data be helpful in talking
22 about positive outcomes?

23 A We wanted the school to be able to see
24 the impacts that our services were having for them in
25 that school individually, to the children

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
182

1 individually. And then we wanted to use this data,
2 as well, to show other schools some of the positive
3 impacts that our services have provided, or at least
4 hypothesize that, you know, our services were
5 helpful.

6 Q So, for example, in terms of behavior
7 referrals, you thought that this data could show that
8 Apex services were possibly having a positive impact
9 on reducing behavior referrals; is that right?

10 A Right. That's right.

11 Q How could this data be useful to Aspire
12 in terms of identifying students who needed Aspire's
13 services?

14 A Well, I think whenever the school, you
15 know, identified a child that had multiple behavioral
16 referrals, then that would certainly be, I think,
17 grounds for a referral. You know, just depending on
18 what types of behaviors the child was exhibiting. So
19 be able to identify students who were having multiple
20 behavioral referrals was a good way of supporting
21 them getting the services that they needed.

22 Q Is it possible to disaggregate the data
23 that we see in this sheet by student, so on the
24 student level?

25 A I am not sure. I don't think so.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
183

1 Q I'm just going off of what you were
2 saying earlier in terms of how it could be helpful
3 when a school could identify if a student had several
4 behavior referrals.

5 A Sure.

6 Q Can you tell me more about --

7 A I'm talking about, I think, from at the
8 beginning. So if a -- if a student has multiple
9 behavior referrals and, you know, the school
10 counselor or the principal is aware of that, then
11 that would be an indicator that they could benefit
12 from our services. At which point, then, they would
13 be referred and then we would be gathering
14 information about the number of referrals -- you
15 know, behavior referrals they had prior to and then
16 once they were engaged in services with us.

17 Does that make sense?

18 Q Yes, it does.

19 So, in addition to this data that we see
20 in front of us, Aspire also is doing individualized
21 data tracking to see the change over time of students
22 and their behavior?

23 A I don't know if we currently are. I'm
24 not sure.

25 Q If the data in front of us was

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
184

1 disaggregated to identify more on a student level
2 basis, would that be useful for Aspire to identify
3 specific students who had behavioral needs?

4 A Yes.

5 Q Could the markers that are displayed in a
6 disaggregated student level form in terms of behavior
7 referrals, attendance, other types of data points,
8 help a clinician at Aspire identify the specific
9 supports that a student would benefit from?

10 A Yes.

11 Q Do you know whether Aspire still has --
12 excuse me.

13 Do you know whether Aspire still has
14 access to the type of data that is contained in this
15 sheet?

16 A The -- no. I don't think we do.

17 Q Do you know why that is?

18 A Are you talking about this particular
19 data or are you talking about data for the schools in
20 general? I'm sorry.

21 Q I'm wondering whether Aspire has the type
22 of data that is contained in this sheet for schools
23 currently. So not -- I'm not talking about this
24 particular time period, but as of today --

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
185

1 Q -- do you have data specific to behavior
2 referrals over time?

3 A I believe we are still collecting that
4 data, yes.

5 Q And who is responsible for collecting and
6 maintaining the data?

7 A Hollis Smith.

8 Q Does she share that data with anyone
9 outside of Aspire?

10 A She would share that data -- I believe
11 she's still collecting that data and submitting it to
12 DBHDD, but I would need to get confirmation on that.
13 And, again, this would be information that we share
14 with the school itself at -- you know, at the end of
15 the year, as well as in stakeholders meetings when
16 we're talking about Apex school-based services. In
17 the same -- in the same vein that I talked about
18 previously.

19 Q Do you know whether Aspire is currently
20 relying on this -- the current version of this data
21 to identify the supports that students need or to
22 identify specific students who need supports?

23 A Yes.

24 Q And how do you know that that's
25 happening?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
186

1 A Because those are the conversations that
2 the individual clinical staff have with the school
3 counselor or other administrative staff in terms of
4 for referral purposes and then in ongoing service
5 care, yes.

6 Q Is there any kind of requirement in the
7 MOUs that Aspire has with schools that the school
8 would provide this level of data?

9 A I believe it's in the MOU, it's stated
10 that there is an exchange of information. I will
11 tell you that there are some schools that give easy
12 access to it, and then we've had some other schools
13 that have put some barriers up in terms of us being
14 able to have that access.

15 Some of the school systems really give us
16 the access to the child's like -- it's called
17 Infinite Campus, so their on-line portal, so we can
18 see everything from grades to attendance and those
19 kinds of things.

20 Q Are you familiar with the data tool
21 Swiss?

22 A I am not.

23 MS. ADAMS: Okay. Let's go off the
24 record.

25 THE VIDEOGRAPHER: The time is

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
187

1 2:55 p.m. We're going off the record.

2 (Brief pause.)

3 THE VIDEOGRAPHER: The time is

4 3:04 p.m. We're back on the record.

5 BY MS. ADAMS:

6 Q Okay. So before we took our break, we
7 had been talking about how Aspire has been able to
8 collect data about behavior referrals and other types
9 of data that can be helpful to Aspire in figuring out
10 what students need in terms of services and other
11 types of benefits.

12 And one of the things that you mentioned
13 was that some schools are more willing or provide
14 that information easier or more easily than other
15 schools, correct?

16 A Yes.

17 MS. ADAMS: So we will return to
18 that computer at some point, but we're
19 going to leave it alone for now. So I'm
20 going to go ahead and stop sharing my
21 screen.

22 I would like the court reporter to
23 mark the next exhibit as Plaintiff's
24 Exhibit 785.

25 (Plaintiff's (Oosterveen))

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
188

1 Deposition Exhibit No. 785 was marked for
2 the record.)

3 BY MS. ADAMS:

4 Q You have been handed Plaintiff's Exhibit
5 785. This is a copy of an e-mail thread between
6 Ms. Wasdin and Ms. Fitzgerald, copying Lisa Spears.
7 The thread is dated October 23rd, 2017. The subject
8 is Re Aspire Apex Program. The bottom of the first
9 page is stamped GA03130139.

10 You can take a moment to review and let
11 me know when you are finished.

12 A Okay.

13 Q Are you familiar with this e-mail thread?

14 A Vaguely.

15 Q Do you have any reason to doubt that
16 Ms. Wasdin e-mailed Ms. Fitzgerald and copied you?

17 A No.

18 Q This e-mail appears to be a continuation
19 of the e-mail thread we reviewed earlier, correct?

20 A Yes.

21 Q As shown on the second page, which is
22 marked GA03130140, earlier that same day, at
23 3:25 p.m., Ms. Fitzgerald responded to Ms. Wazden's
24 e-mail and copied you. Ms. Fitzgerald's response
25 states: Including regarding TA.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
189

1 Correct?

2 A Yes.

3 Q Ms. Wasdin responded to Ms. Fitzgerald at
4 8:00 p.m. on the first page, copying you. And the
5 body of the e-mail begins Aspire Apex
6 Barriers/Challenges, correct?

7 A Yes.

8 Q The first paragraph below that heading
9 states: Lack of full school cooperation with data
10 collection.

11 Correct?

12 A Yes.

13 Q Am I correct that Ms. Wasdin offered the
14 following solution recommendation. Increase buy-in
15 through various means, such as PBIS team member and
16 sponsorship?

17 A Yes.

18 Q What do you understand Ms. Wasdin to have
19 meant by lack of full school cooperation with data
20 collection?

21 MS. JOHNSON: Object to form.

22 MS. ADAMS: You may answer.

23 THE WITNESS: Okay. I take that to
24 mean that, at the time, we were having
25 difficulty with all of the schools

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

190

1 providing the data that we were
2 requesting of them or providing -- or
3 some of the schools were providing all of
4 the data and other schools were not.
5 Either way, we were having difficulty
6 getting the data that was being requested
7 of them.

8 BY MS. ADAMS:

9 Q And do you remember anything about why
10 you were experiencing that difficulty?

11 A Because it was data that was requested on
12 every single student that was engaged in care with
13 us, and it was a pretty intensive amount of data, as
14 well.

15 Q Did you -- I'm sorry. I didn't mean to
16 interrupt.

17 A I don't have anything else to say.

18 Q Do you remember whether schools provided
19 any feedback to Aspire about the specific reasons why
20 they were --

21 A That reason.

22 Q That specific reason?

23 A It really was because it would be
24 required of the school counselor to provide that
25 information, and the time that it took to do that was

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
191

1 extremely cumbersome.

2 Q Do you know whether Ms. Wazden's
3 recommendation was implemented?

4 A I do not know.

5 Q Is Aspire still experiencing the
6 challenge that Ms. Wasdin identified around data
7 collection?

8 A Not that I'm aware of.

9 Q Who would know whether Aspire is still
10 experiencing this challenge?

11 A Hollis Smith.

12 Q Has she communicated with you about
13 whether this is still an issue at all?

14 A Not recently, no.

15 Q Do you remember the last time that you
16 learned about this data collection being an issue?

17 A I don't recall.

18 Q The fourth paragraph in this e-mail
19 states: DBHDD data requested.

20 Correct?

21 A Yes.

22 Q Am I correct that Ms. Wasdin offered the
23 following recommendation: Utilize other forms of
24 consistent data, grade average, number of behavior
25 referrals and number of absences, where a baseline

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
192

1 can be obtained and data can be compared measuring
2 how well individually, per student, school-wide and
3 district-wide before and after Apex.

4 Did I read that correctly?

5 A Yes.

6 Q Do you know why Ms. Wasdin made this
7 recommendation?

8 A I believe that this was data that we were
9 collecting and we found it to be helpful, and so she
10 was making that recommendation to DBHDD as well.

11 Q Do you know why Aspire was collecting
12 that information?

13 A Because anytime I develop and implement a
14 new program, I want to have outcome measures that we
15 can track and follow, and so from the beginning of
16 that program those were outcome measures that we had
17 started tracking. So it was a recommendation given
18 to DBHDD.

19 Q When you say that the recommendation was
20 made to DBHDD, what was the hope in terms of how
21 DBHDD would respond?

22 A That these data points would be included
23 in some of the measures that we were reporting on.

24 Q Was the hope that all CSBs would report
25 on these same measures?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
193

1 A Yes.

2 Q Do you know whether Ms. Wazden's
3 recommendation was implemented?

4 A I am not sure.

5 Q Do you know who at DBHDD would have
6 decided whether to implement that recommendation or
7 not?

8 A I believe it would have been Layla and
9 the team of people that she worked with.

10 Q The third paragraph states: Changes to
11 DBHDD data reporting, monthly versus quarterly.

12 Correct?

13 A Yes.

14 Q Am I correct that Ms. Wasdin offered the
15 following solution recommendation: Continue monthly
16 programmatic, but report on new data in collaboration
17 with school reporting every nine weeks to maintain
18 overall fidelity and consistency.

19 Is that right?

20 A Yes.

21 Q Do you know why Ms. Wasdin made this
22 recommendation?

23 A I do not.

24 Q What is your understanding of the
25 recommendation that Ms. Wasdin made?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
194

1 MS. JOHNSON: Object to form.

2 THE WITNESS: I think this is in
3 reference to the data collected on that
4 graph that demonstrates kind of nine-week
5 reporting. So it would be in line with
6 school reporting, as well. So it would
7 kind of mirror some of the reporting that
8 the school systems had in place and it
9 would show fidelity with our services in
10 line with the school's reporting
11 mechanisms.

12 BY MS. ADAMS:

13 Q And when you say that graph, are you
14 referring to the exhibit previously -- the previously
15 marked Exhibit 183 that we showed digitally?

16 A Yes.

17 Q And just as a reminder for the record,
18 that was stamped GA03130011.

19 How, if at all, does Aspire maintain
20 overall fidelity and consistency in its data reports
21 to DBHDD?

22 A We have standard processes for how we
23 collect the data, and it's something that's trained
24 to -- in all of the staff who are reporting on that
25 data.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
195

1 Q Is that something that Aspire does
2 internally?

3 A It is.

4 Q Does DBHDD require Aspire to take any
5 specific measures to maintain fidelity and
6 consistency in its data reports?

7 A Not other than the reporting itself, no.

8 Q Is there anything else that you can think
9 of as to why Ms. Wazden's recommendation about this
10 data reporting could be beneficial to Aspire, as well
11 as other CSBs?

12 A No, other than all of these
13 recommendations were things that she and I had
14 discussed previously. Some of them were practices
15 that we already had in place that we had found
16 beneficial and helpful in the service delivery and
17 reporting. Some of these suggestions were based on
18 some of the experiences that we had, both with the
19 technical assistance and interacting with the
20 reporting itself that was not helpful. And so we
21 were just making recommendations on how to improve,
22 overall, the functionality of the Apex program.

23 Q Do you recall Ms. Wasdin or any other
24 Aspire staff member telling you whether this
25 particular recommendation was accepted or

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
196

1 implemented?

2 A I -- I don't recall us having that
3 conversation, but I do have the sense that, you know,
4 much of this was considered. And, to date, I'm not
5 sure what level of this is still in practice or, you
6 know, how many of these pieces were changed as a
7 result of this feedback.

8 Q The fifth paragraph states: Usefulness
9 of TA calls.

10 Do you see that?

11 A Yes.

12 Q Am I correct that Ms. Wasdin offered the
13 following solution recommendation: Reduce TA calls,
14 have face-to-face collaborative meetings once
15 quarterly with other Apex providers, provide
16 trainings around interventions and evidence-based
17 tools for school-based services, what we learned at
18 the conference.

19 Is that correct?

20 A Yes.

21 Q Do you understand what Ms. Wasdin was
22 communicating when she made this recommendation?

23 A Yes.

24 MS. JOHNSON: Object to form.
25

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
197

1 BY MS. ADAMS:

2 Q What is your understanding of what she
3 was recommending?

4 A That the collaborative meetings, the way
5 that they were being conducted currently were not
6 helpful, and oftentimes they were redundant in the
7 information that was provided or in the conversations
8 that were had. And that our suggestion or her
9 suggestion, with my feedback also, was that they be
10 moved to face-to-face meetings and be more structured
11 and offer more trainings.

12 And the conference that she's referencing
13 in this e-mail is the National School-Based Mental
14 Health Conference that we had attended together.

15 Q So you and Ms. Wasdin spoke about ways to
16 improve technical assistance?

17 A Yes.

18 Q And this solution that she has put in
19 this e-mail is something that the two of you
20 discussed together?

21 A Yes.

22 Q Ms. Wasdin wrote: Provide trainings
23 around interventions.

24 Do you know who Ms. Wasdin believed
25 should provide trainings?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
198

1 A I don't think she had any certain person
2 in mind, but I can't speak to that.

3 Q Do you know whether it would be useful
4 for DBHDD to provide trainings around interventions
5 and evidence-based tools?

6 A Yes.

7 Q Do you know whether Ms. Wazden's
8 recommendation was implemented?

9 A I do not.

10 Q The last paragraph in the e-mail states:
11 Lack of mental health awareness, slash, reducing
12 stigma in school curriculum.

13 Correct?

14 A Yes.

15 Q Am I correct that Ms. Wasdin offered the
16 following recommendation: Aspire will implement the
17 Recovery Project initiative in January 2018 to bring
18 students, parents, school staff together for the
19 purpose of raising awareness, strengthening school
20 and mental health provider relationships and to unite
21 community school districts for one cause.

22 Correct?

23 A Yes.

24 Q Did you and Ms. Wasdin discuss this
25 particular recommendation?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

199

1 A Yes.

2 Q Can you tell me what led you to discuss
3 this recommendation?

4 A That was something else that we had seen
5 in the School-Based conference. There was another
6 school district in another state that had developed a
7 collaborative and they united all of the school
8 systems together, and we saw that they had shown that
9 they had really good outcomes as a result of that
10 effort.

11 And so we discussed doing that, and we
12 were successfully able to implement that and it is
13 still taking place now, where we bring all of our
14 school -- we invite all of our school systems
15 together. And not just the school systems, but other
16 youth-serving agencies are invited, as well. And we
17 use that time as both a lunch-and-learn. So we may
18 provide trainings around mental health, but it's also
19 a time where the schools can provide feedback to us
20 about ways that we can improve our delivery of care
21 or barriers that they're experiencing in the
22 community as a whole.

23 Q Do you know whether DBHDD applied or
24 accepted your recommendation?

25 A I do not know.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
200

1 Q But Aspire has --

2 A We continue to do it. We had one last
3 month, yes.

4 Q And just to make sure I understand.

5 Ms. Wasdin provided a number of
6 recommendations specific to the Apex program in this
7 e-mail, and you have testified that this set of
8 recommendations are recommendations that you
9 discussed with her --

10 A Yes.

11 Q -- based on your own observations of the
12 program?

13 A Yes.

14 MS. SHEPPARD: Wait for the
15 question.

16 THE WITNESS: I'm sorry.

17 BY MS. ADAMS:

18 Q Looking at this full list of barriers and
19 challenges with Apex, as well as solutions, are you
20 aware as to whether Aspire is still experiencing any
21 of the challenges in this e-mail?

22 A With the schools that we provide Apex
23 services to, I'm not familiar with any barriers that
24 are listed here. I would have to confirm with the
25 Apex coordinator about if the data is still -- if

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
201

1 they're still having difficulty, but she has not
2 raised that to me recently. So I am not aware of any
3 ongoing challenges with the schools that we're
4 providing services to around these issues.

5 Q One of the issues that you mentioned a
6 bit in terms of the catchment area, in particular,
7 was around stigma and kind of engaging families
8 around mental health. Is that something that Aspire
9 is still working on? Is that an ongoing concern?

10 A Yes, that's an ongoing priority for us.
11 Every year, during Children's Mental Health Awareness
12 Month, we have a big event where we are really
13 focused on reducing that stigma and raising
14 awareness. And then throughout the year, as well, we
15 have different ways that we are engaging the
16 community around reducing stigma.

17 Q And is all of that work categorized as
18 non-billable services?

19 A I would say most of it, yes.

20 MS. ADAMS: Okay. I'm going to
21 move to another exhibit. I would like
22 the court reporter to mark this as
23 Plaintiff's Exhibit 786.

24 (Plaintiff's (Oosterveen)

25 Deposition Exhibit No. 786 was marked for

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
202

1 the record.)

2 BY MS. ADAMS:

3 Q You have been handed what has been marked
4 Plaintiff's Exhibit 786. This is a copy of Aspire's
5 2019 Contract Programmatic Report. Aspire produced
6 this document to the United States in response to a
7 subpoena. The first page is stamped ASPIRE001200.
8 The document is 19 pages long.

9 I'm not going to ask you about every
10 single page and I will guide you through this the
11 specific pages we will discuss, but please take a
12 moment to review and let me know when you're ready.

13 A I'm ready.

14 Q Are you familiar with this document?

15 A Yes.

16 Q What is a contract programmatic report?

17 A The contract programmatic report would
18 look like this report here (indicating). So that is
19 my understanding of what the contract programmatic
20 report is.

21 Q And you are gesturing to other pages
22 within the document?

23 A Yes. Yes.

24 Q Is there a particular page where the
25 document starts looking familiar as the contract

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
203

1 programmatic report?

2 A It may be -- specifically where the data
3 is collected, that is what -- and that's what I was
4 referring to previously when I was talking to the
5 very rigorous data that staff have to collect per
6 school. So that is my recollection of the
7 programmatic report.

8 Q And, for the record, you were pointing, I
9 believe, to the first page of the chart
10 information --

11 A Yes.

12 Q -- which is stamped ASPIRE001203?

13 A Yes.

14 Q Have you ever played a role in preparing
15 this report?

16 A Not this report. The report when I
17 started providing Apex services was very small. I
18 can't even remember what it looked like, but not this
19 report, no.

20 Q Who was responsible for preparing this
21 report?

22 A I believe Nicole Wasdin would have
23 completed this report.

24 Q Okay. Do you know whether the template
25 for this report was provided in Annex C of Aspire's

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
204

1 Apex contract for fiscal year 2019?

2 A I don't recall.

3 Q Do you see in the upper hand -- upper
4 right-hand corner of each page of this document the
5 words FY19 --

6 A Yes.

7 Q -- dash Georgia Apex Project?

8 A Yes.

9 Q Does that give you any sense as to
10 whether this report was provided in Annex C of the
11 contract for fiscal year 2019?

12 A Yes.

13 Q So just to confirm, do you believe that
14 this is the template that was provided in that
15 contract?

16 A Yes.

17 Q Do you know whether Aspire still submits
18 monthly programmatic reports using this same format?

19 A I do not know.

20 Q Do you review any of the information that
21 is prepared when the monthly programmatic reports are
22 compiled?

23 A The data that I review, it comes through
24 our outcomes management reporting and it is not as
25 detailed as this information. So the data that is

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
205

1 reported to me is like a total number of students who
2 are in the Apex services, the number that have been
3 referred, that level of data.

4 The youth and young adult services
5 coordinator reviews the programmatic data with Hollis
6 Smith.

7 Q On the first page of this report, the
8 front states at the top, Narrative Analysis of
9 Project Accomplishments, right?

10 A Yes.

11 Q Below that prompt there are numerous
12 headings and I'd like to discuss some of them.

13 The first heading is Stakeholder
14 Meetings; is that right?

15 A Yes.

16 Q Under the heading, a paragraph states
17 that: Aspire staff attended approximately 46
18 stakeholder meetings in the month of September, and
19 the meetings included MDT, LIPT, CHINS Court, DBHDD
20 Region 4 Community Collaborative, school
21 administrative board meetings, PTO, regular teacher
22 faculty meetings, law enforcement and foster care
23 collaborative and/or family connections.

24 Is that right?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
206

1 Q Why did Aspire staff attend these
2 meetings?

3 A It is customary for our staff to do that
4 as part of being engaged in our community and with
5 our different stakeholders.

6 Q Is it your understanding that Aspire
7 staff still attend similar stakeholder meetings?

8 A Yes.

9 Q Do you know who else attends these
10 meetings?

11 A As far as Aspire's staff or non Aspire
12 staff?

13 Q I'm sorry. Non Aspire staff.

14 A Okay. So it would be law enforcement,
15 Department of Family and Children's Services, other
16 behavioral health providers, Department of Education
17 staff. For CHINS Court, it is the judge. Family
18 members in some of these meetings. There may be
19 faith community involvement. Family connections
20 would be like your Family Literacy Center, your food
21 bank representatives, your FQHC representatives.

22 And then in the MDT meetings would be
23 your child advocacy center and law enforcement.

24 Q What was the acronym you used, FQ --

25 A FQHC is the federally qualified health

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
207

1 centers. So it would be your local health providers.

2 Q Okay. Do any state agency officials
3 attend?

4 A The only state officials would be the
5 DBHDD Region 4 Community Collaborative, and then
6 State employees for the region would be at those
7 meetings.

8 Q Do you know the names of any of those
9 employees that would attend?

10 A Todd Jones, he is over the youth and
11 family services, or Jennifer Dunn, who at the time
12 was the regional director.

13 Q And I believe you also mentioned
14 Department of Family --

15 A -- and Children's Services.

16 Q -- and Children's Services?

17 A Yes.

18 Q Is that a State entity?

19 A Yes.

20 Q Are you aware of any of the individuals
21 who attend from that agency?

22 A I do not. I'm not sure.

23 Q Is Apex discussed at any of these
24 meetings?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
208

1 Q Is Apex a key agenda item on any of these
2 particular collaboratives?

3 A Particularly in the school administrative
4 board meetings and the PTO meetings, the regular
5 teacher and faculty meetings, yes. The IEP, 504 and
6 PBIS meetings, yes. And it's possible that they
7 were -- that Apex was talked about in some of the
8 other meetings, as well.

9 Q And, I apologize, I can't remember if you
10 said what PTO is?

11 A Parent-teacher -- it's the parent-led --
12 the parent-led organization within the school system.
13 It might be parent teacher organization. I'm not
14 sure.

15 Q Why would Apex be a subject of
16 conversation at school administrative board meetings?

17 A Just to talk about the services that are
18 offered and provided and the benefits of those
19 services.

20 Q Why would Apex be discussed during
21 regular teacher faculty meetings?

22 A Again, how those services may -- may
23 benefit the students and their classrooms. Also,
24 ways that Apex providers can assist the teachers and
25 the faculty through trainings and other resources.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
209

1 Q The second heading, going back to the
2 programmatic report, is Camp Apex Summer Program; is
3 that right?

4 A Yes.

5 Q We mentioned this a little bit earlier
6 today, and I think you said that Aspire was the first
7 CSB to create a summer program?

8 A Yes.

9 Q Can you tell me a little bit more about
10 how the summer program is beneficial for students
11 with behavioral needs?

12 A Yes. It was a structured environment for
13 children who have mental health and behavioral needs,
14 for them to -- to be in a therapeutic environment and
15 to develop skills. We also had time set aside really
16 to continue working on some of their academic needs
17 in that setting, as well. It was -- it is set up to
18 have like a schedule that we follow that includes,
19 you know, group skills and then also some academic
20 time, and then some real recreational and fun time
21 there.

22 It was a way for us to keep children and
23 their families engaged during the summertime because
24 that is a time where families really drop off in
25 accessing their services with us, and it was also a

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
210

1 time where parents, especially if they've got
2 children of behavioral needs, could have some
3 respite. So it's been very beneficial for our
4 families.

5 Q Do students who receive Apex services
6 benefit from the summer program, as well?

7 A Yes.

8 Q Does Aspire still hold the camp every
9 summer?

10 A Yes.

11 Q Let's turn to the third page of this
12 report, which is stamped ASPIRE001202. This page
13 contains Apex totals. The first total is the total
14 enrolled for the month of July, correct?

15 A Yes.

16 Q That total enrollment is listed as 450,
17 right?

18 A Yes.

19 Q Does this total refer to the total number
20 of students enrolled in Aspire's Apex program during
21 the month of July 2018?

22 A I believe that to be true, yes.

23 Q What does this total enrollment number
24 mean?

25 A That means that that's the total number

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
211

1 of children who are receiving services in all of our
2 different Apex schools in the course of the year --
3 or the course of -- well, that month, and then the
4 other totals talk about the other months.

5 Q Okay. So the second total is the total
6 served from July 2018 to 2019, which is listed as
7 614, correct?

8 A That's right.

9 Q So how was that total calculated?

10 A Through the monthly -- we gathered that
11 data on a monthly basis and then it was accumulated.

12 Q The third total is the total referrals
13 for the month of June 2019, which is listed as zero,
14 correct?

15 A Yes.

16 Q And this total is referring to June 2019?

17 A Yes.

18 Q How was that total calculated?

19 A Total number of referrals that come in,
20 which we don't usually get school-based referrals
21 coming in in the summer months. So usually the
22 number that we have are the number of children that
23 were with us throughout the school year. We really
24 work to try to retain that number. And then we begin
25 receiving referrals again about late August to

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
212

1 September.

2 Q Let's turn to the fourth page, which is
3 stamped ASPIRE001203. There is a heading Lee County
4 School District and a list of metrics below it,
5 correct?

6 A Yes.

7 Q The first metric is District Total,
8 eight, correct?

9 A Yes.

10 Q What does that mean?

11 A I believe that's the number of schools in
12 that district.

13 Q The second metric is School-Based
14 Serving, eight, correct?

15 A Yes.

16 Q What does that mean?

17 A The number of schools that we're
18 providing school-based mental health services to.

19 Q The third metric is Apex Serving, seven,
20 correct?

21 A Yes.

22 Q What does that mean?

23 A The number of Apex schools that we are
24 serving.

25 Q In that particular district?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
213

1 A Yes.

2 Q So if I'm understanding this information
3 correctly, that means that there was one school that
4 was receiving school-based services, but not Apex
5 services?

6 A Correct.

7 Q Why might that be the case?

8 A It -- it might have been that we just had
9 not added them as an Apex school yet. It might have
10 been dependent on funding. It also, again, you know,
11 like I had said, we were very systematic about how we
12 would enter into schools, making sure that we had the
13 staffing, making sure that the funding availability
14 was there, and making sure that the school was
15 agreeable to us coming in. So --

16 Q When you say that it could have been
17 related to funding, is that an indication that, if
18 you had -- if Aspire had even more funding at the
19 time, you might have been able to bring on that
20 school --

21 A Possibly. Possibly. Depending on
22 staffing.

23 Q The fourth metric is Total Number of
24 Students Enrolled, 82, correct?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023

214

1 Q How was that number calculated?

2 A Based on the monthly reporting of -- from
3 the individual schools.

4 Q So that is the total number of students
5 enrolled in Apex during that time?

6 A Yes.

7 Q The fifth metric is Total Year-to-date
8 Served or -- I'm sorry. Is that the fifth? I'm
9 losing count. One, two, three, four, five.

10 The fifth metric is Total Year-to-date
11 Served, 140, correct?

12 A Yes.

13 Q And what does this mean?

14 A That is the total number of Apex students
15 served in the course of that year.

16 Q The sixth metric is Total Number of
17 Students District-Wide, 6,547. Is this just the
18 total number of students in the school district?

19 A Yes.

20 Q Let's turn to the sixth page, which is
21 stamped ASPIRE001205. The top half of the page
22 provides data for Lee County Middle School East,
23 correct?

24 A Yes.

25 Q Next to Lee County Middle School East are

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
215

1 the words Enrolled, 20, Served 40, correct?

2 A Yes.

3 Q What does that mean?

4 A That means the total number of youth who
5 are enrolled in Aspire services versus the total
6 number of students that were served. So we may have
7 been providing a group where a child was
8 participating in the group but not enrolled in our
9 services.

10 Q Okay. Is that common?

11 A It is.

12 Q How -- how does a child end up receiving,
13 for example, group services but not actually
14 enrolling in Aspire services?

15 A So to reference your -- the discussion of
16 tiers previously, the PBIS tiers, if we were
17 providing a skills-based group or perhaps a grief
18 group, and the child doesn't necessarily have a
19 mental health diagnosis but, you know, they could
20 benefit from a group service that we're providing,
21 then they would be able to be referred into that
22 group through the school counselor or the teacher.

23 Another example would be if we -- if
24 there was a death in the community -- which we've
25 had, we've had suicides previously -- then we would

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
216

1 provide services to any students or faculty who would
2 benefit from those services without having to be
3 enrolled with us.

4 Q I see.

5 A Yes.

6 Q And so those individuals who are served
7 but not enrolled, are they provided those services
8 and then are those services viewed as non-billable
9 services?

10 A Yes.

11 Q Further down the page, there's a red and
12 gray chart with three columns. The first column says
13 Differences Made, the second column says Number For
14 Current Reporting Month September, and the third
15 column says Number for Fiscal Year July 2019, 2020 --
16 excuse me -- June 2020, correct?

17 A Yes.

18 Q The first row, Higher Level of Care,
19 displays the number four in the third column
20 July 2019, June 2020, correct?

21 A Yes.

22 Q What does that number four mean?

23 A That means four individuals in this
24 school had to go to a higher level of care, including
25 like a crisis stabilization unit.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
217

1 Q Does this number only count each student
2 one time? So, for example, could the same student be
3 reflected in this four times because that student was
4 transferred to a higher level of care on four
5 different occasions?

6 A I believe this is by individual.

7 Q Okay. What higher level placements were
8 those students transferred to?

9 A I can't be certain, but typically it's a
10 crisis stabilization unit. So it would be a youth
11 crisis stabilization unit.

12 Q Are students who receive higher level
13 placements ever placed in GNETS as a higher level
14 placement?

15 A That is not the data that we collect
16 here. So this higher level of care in this instance
17 is talking about a mental health higher level of
18 care.

19 Q Does Aspire track referrals to GNETS or
20 transitions to GNETS?

21 A We do not.

22 Q And I apologize, I believe we have talked
23 about this earlier, but if you can refresh my memory.

24 Do you have any memory of an Aspire staff
25 member ever referring a student to GNETS?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
218

1 A No.

2 Q Thank you.

3 Have students who receive Apex services
4 ever been placed in higher levels of care?

5 A Yes.

6 Q Do students in Apex sometimes receive
7 higher level placements in crisis placements, like
8 you referred to?

9 A Yes.

10 Q Are there any other types of higher level
11 placements that students in Apex -- sorry, I'm just
12 trying to understand.

13 Are there any other types of higher level
14 placements that students in Apex go to, in
15 particular?

16 A No, the only two higher levels of care
17 that would be beyond outpatient would be the crisis
18 stabilization unit and then long-term residential
19 care. So it is not very often that a child goes to
20 long-term residential. It really takes a lot for a
21 child to be placed there. So these are more than
22 likely referencing a crisis stabilization, which is
23 usually seven days or less.

24 Q Do the higher level of care -- does this
25 indication of higher level of care ever refer to a

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
219

1 short-term stay at a hospital?

2 A Crisis stabilization unit, yes. So not a
3 medical hospital, but yes.

4 Q The second row, Disciplinary Referrals,
5 displays the number 34 in the July 2019, June 2020
6 column, correct?

7 A Yes.

8 Q What does that 20 -- excuse me -- what
9 does that 34 mean?

10 A That refers to all of the students that
11 are in Apex school-based services, the number of
12 students that had disciplinary referrals. Not the
13 number of referrals, but the number of students who
14 had referrals.

15 Q And like the earlier conversation we had,
16 is your understanding that these are unique students?

17 A Yes.

18 Q How is the information in this chart that
19 we are looking at relevant to identifying students
20 with behavioral needs that would benefit from
21 Aspire's services?

22 A Well, this is all data that indicates,
23 number one, that we are truly serving the population
24 that is in need of the services, and it also
25 demonstrates that our interventions are helpful in

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
220

1 reducing these numbers.

2 Q Do Aspire staff track any visits that
3 Apex students have in the ER?

4 A No. And let me just give you one caveat
5 to that. The reason why we don't is because our
6 local emergency centers do not admit children for
7 crisis stabilization. They medically clear them, but
8 then they have to go to an actual child and
9 adolescent crisis stabilization unit. So tracking
10 that data isn't -- it's not possible. It's not
11 useful.

12 Q Okay. Thank you for that clarification.

13 A Uh-huh. Yes. You're welcome.

14 MS. ADAMS: Can we go off the
15 record just briefly?

16 THE VIDEOGRAPHER: The time is
17 3:53 p.m. We're going off the record.

18 (Brief pause.)

19 THE VIDEOGRAPHER: The time is
20 4:02 p.m. We're back on the record.

21 MS. ADAMS: Okay. I am done with
22 that exhibit. And we will move on to the
23 next. Okay. This is going to be very
24 heavy, but I promise we are not looking
25 through all of it.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
221

1 I would like the court reporter to
2 mark this as Plaintiff's Exhibit 787 --
3 are we on?

4 MS. LEVERT: We're on 787.

5 MS. ADAMS: Yes, thank you.

6 MS. LEVERT: Okay.

7 (Plaintiff's (Oosterveen)

8 Deposition Exhibit No. 787 was marked for
9 the record.)

10 BY MS. ADAMS:

11 Q You have been handed what has been marked
12 Plaintiff's Exhibit 787. This is a copy of Aspire's
13 November 2021 monthly progress reports. Aspire
14 produced this document to the United States in
15 response to a subpoena. The first page is stamped
16 Aspire 007437. This document is over 300 pages. As
17 I said, it's very large.

18 I am not going to be asking you about
19 every single page or even most of the pages. I'll
20 guide you to look at specific pages, but please take
21 a moment to review and let me know when you are
22 ready.

23 A I'm ready.

24 Q Are you familiar with this document?

25 A Yes, this is the document that I was

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
222

1 referencing previously about the data that is
2 cumbersome that I knew the staff was reporting on.

3 Q Okay.

4 A That's why I gave you that confused look
5 earlier when I saw that very small report, because
6 that's not what I'm familiar. It's this.

7 Q Okay. Thank you. And we've talked about
8 the Center of Excellence for Children's Behavioral
9 Health?

10 A Yes.

11 Q And we talked about how the center
12 partners with DBHDD to collect the information about
13 Apex?

14 A Yes.

15 Q Does Aspire ever meet with the Center of
16 Excellence?

17 A Yes.

18 Q Why does Aspire meet with the center?

19 A They are on those technical assistance
20 calls, and they provide direction in terms of the
21 reporting and answer any questions that we have
22 around, you know, how the data is being collected
23 or -- you know, like that.

24 Q Do you know whether Aspire is submitting
25 the monthly progress report that is in front of us

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
223

1 here in this exhibit in addition to a similar monthly
2 contract programmatic report that we reviewed
3 earlier, this document that was the red and gray?

4 A I am not sure if they are submitting both
5 of them. I do have reason to believe that this is
6 what they are submitting on a monthly basis.

7 Q Okay. So you have reason to believe that
8 they are submitting this Center of Excellence monthly
9 report, but you are not sure whether they are still
10 submitting the report that we looked at earlier which
11 is the red and gray charts?

12 A Right. It's possible.

13 Q Okay.

14 A I can confirm that with Hollis Smith.

15 Q Okay. So let's go ahead and turn to the
16 fifth page of this report, which is stamped Aspire
17 007441.

18 Who at Aspire completed the monthly
19 progress report for this school?

20 A Hollis Smith.

21 Q Does Aspire coordinate with each school
22 to complete these reports?

23 A Yes.

24 Q How does Aspire coordinate with these
25 schools?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
224

1 A Through -- usually through the school
2 counselor or the point of contact, and that
3 information is provided through that person.

4 Q Do you review these reports before they
5 are submitted?

6 A I do not.

7 Q Do you review high level aggregate data
8 before they are submitted?

9 A Yes.

10 Q To the best of your knowledge, does the
11 information contained in this report provide an
12 accurate reflection of the services provided at each
13 school?

14 A To the best of my knowledge.

15 Q Let's turn to the Bates stamped Aspire
16 007493. Do you see that page?

17 A I see Aspire 00749.

18 Q And I'm looking for Aspire 007493.

19 A Give me just a second.

20 Q Yes. Absolutely.

21 A I see 593. Can you give me some
22 direction as to what it looks like?

23 Q Yes. So I've pulled out about that much
24 of my report, and this page looks like this
25 (indicating)?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
225

1 A Okay. I've got it.

2 Q Great. This section of the report
3 provides information about Lee County Middle School
4 East, correct?

5 A Yes.

6 Q On the prior page stamped ASPIRE007492,
7 the text indicates that Meagan Cannon submitted this
8 school's report; is that right?

9 A Yes.

10 Q Who was Meagan Cannon?

11 A She was a clinician providing services in
12 that school.

13 Q A bit further down on this page, the text
14 indicates that November 2021 was the time period for
15 the report, correct?

16 A Yes.

17 Q Turning back to Aspire 007493, so the
18 page we were looking at initially, the school is a
19 part of the Apex 1.0 cohort, correct?

20 A Yes.

21 Q And I believe we talked a bit about the
22 differences in the cohort funding, and you confirmed
23 that Aspire applied for and received Apex 3.0
24 funding, correct?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
226

1 Q Turning to the next page, stamped Aspire
2 007494, at the top of the page is Objective 1A, which
3 states: Indicate the total number of unique students
4 who received school-based mental health services at
5 the school during November of 2021.

6 Correct?

7 A Yes.

8 Q The report shows that ten unique students
9 received Aspire's services that month, correct?

10 A Yes.

11 Q How was that number determined?

12 A It would be the number of total students
13 on that clinician's case load in that month in that
14 school.

15 Q Under Objective 1B, the report shows that
16 four students were referred by a school counselor in
17 November, correct?

18 A Yes.

19 Q In your experience, what are the most
20 common referral sources in schools for Aspire's Apex
21 services?

22 A They typically come through the school
23 counselor. Now, they -- it may have been that
24 someone else on the staff recommended that child for
25 referral, but our internal processes is that the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
227

1 school counselor be the person who provides that
2 referral. That way we know that the school counselor
3 has had interactions about the child, knows about the
4 child's situation and feels confidently that they are
5 an appropriate fit for referral.

6 Q On the next page, Aspire 007495, under
7 Objective 1C, the report shows that no students were
8 admitted to a higher level of care for the first
9 time, stepped down from a higher level of care for
10 the first time, or returned to a higher level of
11 care, correct?

12 A Yes.

13 Q Under Objective 1D, the report shows that
14 Aspire provided psychiatric treatment to three
15 students, correct?

16 A Yes.

17 Q What is psychiatric treatment?

18 A That would be a physician appointment
19 with our nurse -- our psychiatric nurse practitioner
20 or a psychiatrist, for medication management
21 purposes.

22 Q Can that treatment be offered in a school
23 setting or via telehealth?

24 A It can be offered via telehealth, yes.
25 It is not -- our services are not offered in a school

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
228

1 setting.

2 Q And I believe we talked about this a
3 little bit in terms of that being a difficult --

4 A Yes.

5 Q -- thing? Can you explain why that's a
6 different thing to arrange for a school?

7 A It's very challenging to be able to -- to
8 get a full schedule of children to be seen with a
9 psychiatrist on that day, and it -- and it would be
10 productive, both in a billing standpoint and also
11 just having the time of a provider. Provider time is
12 even less abundant than our clinical time.

13 We only have three dedicated -- four
14 dedicated psychiatrists or psychiatrist equivalent
15 staff in all -- versus all of the schools that we
16 serve.

17 Q Is there anything that could make it
18 easier for Aspire to provide psychiatric treatment at
19 a school?

20 A More psychiatrists.

21 Q And how would Aspire be able to access
22 more psychiatrists?

23 A Being able to recruit them. But this is
24 a very difficult community. We don't have a lot of
25 providers who are interested in moving to this

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
229

1 community, so we would have to pay a higher level of
2 salary. Our local hospital has the same kinds of
3 troubles with recruitment and retention.

4 Q How would Aspire be able to pay a higher
5 level salary? Where would that money eventually come
6 from?

7 A If it -- I mean, if it came from grant
8 funding or through other funding opportunities. We
9 have been able to sustain our medical staff
10 through -- we contract with a medical provider
11 company, and that's helped tremendously. Before that
12 time we had a very difficult time keeping
13 psychiatrists locally.

14 Q So you could potentially obtain more
15 money for physician salary through a grant --

16 A Yes.

17 Q -- through DBHDD, for example?

18 A Yes.

19 Q And going back to this chart that we're
20 looking at. Aspire provided nine students community
21 support individual services?

22 A Yes.

23 Q And we've talked about those services a
24 little bit. Can you tell me a bit more about what
25 those services involve?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
230

1 A Those services are case management-like
2 services that are individual interactions with the
3 youth or with their family members, providing skills,
4 teaching and skills building, linkage to resources,
5 assistance in the classroom with behavior management,
6 those kinds of things.

7 Q Who at Aspire provides those services?

8 A Community support individual staff do.

9 Q What training do those individuals
10 receive to provide those services?

11 A Well, they have a high school level or
12 higher, up to a Bachelor's a level. We provide an
13 internal training around their job duties and
14 responsibilities.

15 Q Can those services be offered in a school
16 setting or via telehealth?

17 A Yes.

18 Q Looking back to the chart, Aspire
19 provided six students individual outpatient services,
20 correct?

21 A Yes.

22 Q Who at Aspire provides those services?

23 A The clinicians, the therapists.

24 Q Can those services be offered in a school
25 setting or via telehealth?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
231

1 A Yes, and let me make a caveat here. The
2 CSI services and the clinician services in this
3 year -- what year was this, 2019?

4 Q This was 2021, I believe.

5 A Oh, this is '21?

6 Q Yes.

7 A Then, yes, all of that could have been
8 provided via telehealth. Some of those services
9 prior to the pandemic we could not provide via
10 telehealth and bill for them.

11 Q Is there a particular reason why you were
12 not allowed to do that?

13 A Medicaid wouldn't approve telehealth
14 services.

15 MS. COHEN: We all learned a lot
16 during the pandemic.

17 THE WITNESS: We did learn a lot.
18 I'm hoping that will continue to be a
19 positive change, even after the state of
20 emergency.

21 BY MS. ADAMS:

22 Q And then turning back to the chart again,
23 Aspire provided several students family outpatient
24 services?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
232

1 Q Who at Aspire provides those services?

2 A The clinical staff.

3 Q Can those services be offered in a school
4 setting or via telehealth?

5 A Yes.

6 Q Turning to the next page, stamped Aspire
7 007496, Aspire provided six students service plan
8 development, correct?

9 A Yes.

10 Q What is service plan development?

11 A It is the -- it's updating their -- the
12 child's treatment plan and their treatment goals, and
13 in some situations it's also updating their
14 authorization for provision of services.

15 Q Who at Aspire provides that service?

16 A The clinician.

17 Q Can that service be offered in a school
18 setting or via telehealth?

19 A Yes.

20 Q Turning to the next page, Aspire 007497,
21 under Objective E -- sorry -- 1E, the report shows
22 that Aspire did not provide any Tier 3 school-based
23 mental health services to students at the school in
24 November 2021, correct?

25 A That's what it looks like, yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
233

1 Q What is your understanding of Tier 3
2 services?

3 A I'm not sure. Oh, it refers to
4 individualized interventions for students living with
5 a behavioral health diagnosis. So that's any of our
6 services. I'm sorry.

7 Q That's okay. Turning to page -- to just
8 the next page, Aspire 007498, under Objective 1F,
9 Aspire billed services to private insurance for one
10 unique student, correct?

11 A Yes.

12 Q Aspire billed services to Medicaid for
13 one unique student, correct?

14 A Yes.

15 Q Aspire billed services to DBHDD
16 fee-for-service for two unique students, correct?

17 A Yes.

18 Q What is DBHDD fee-for-service?

19 A Those are children who either have no
20 insurance or they have a private insurance that
21 rejected one of the services that we offer, and then
22 we were able to bill them under the State contract
23 services. So, for instance, some private insurances
24 refuse to pay for CSI services, in which case then we
25 can get authorization for those services through the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
234

1 State contract.

2 Q Aspire did not bill any services to the
3 Apex grant during this period, correct?

4 A That's what it looks like.

5 Q What kinds of services would qualify to
6 be charged to the Apex grant?

7 A The non-billable services. So it would
8 be a training or a form of resources offered. Some
9 other CSBs would perhaps charge some of these other
10 individual services or group services, but we don't
11 have that. We bill all of our services to the
12 child's payor source or to insurance.

13 Q On this topic of billing, before our most
14 recent break we had been talking about the types of
15 services that Aspire serves, and there was one
16 particular data point on the last exhibit where we
17 were talking about Aspire enrolled students and then
18 students who might be able to partake in a group, for
19 example --

20 A Right.

21 Q -- even if they're not enrolled?

22 A Right.

23 Q So I'm wondering, why is it that those
24 students who are referred to participate in a group,
25 why is it that they're not able to be billed under

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
235

1 Medicaid?

2 A More than likely, they -- they weren't
3 enrolled in services with us because they maybe
4 didn't have a mental health diagnosis, they don't
5 meet our admission criteria, or it could have been
6 that the family was not interested in receiving
7 services from us, in which that behavioral health
8 assessment would initiate an authorization to be able
9 to bill for those services.

10 Q I see. Under Objective 1G, the report
11 shows that Aspire provided Tier 1 services that it
12 was unable to bill to any payor, correct?

13 A Yes.

14 Q And as shown on the next page under
15 Objective 1H -- and that's on page Aspire 007499 --
16 Aspire's non-billable Tier 1 services included
17 faculty consultation or classroom observation and
18 staff meetings, correct?

19 A Yes.

20 Q I know we've talked about faculty
21 consultations and staff meetings. Can you tell me
22 what Aspire staff do when they provide classroom
23 observation?

24 A They would be monitoring a child in their
25 classroom setting to identify behavioral concerns or

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
236

1 needs, and also to be able to provide support to the
2 teacher in that classroom if the child has behavioral
3 disruptions. And can also be able to give some
4 feedback to the teacher about ways that that teacher
5 can better interact, engage and support the child.

6 Q Which Aspire staff provide those
7 services?

8 A Predominantly, it would be the clinician.
9 It may be the CSI staff person, particularly around
10 skill building, for the child like being able to sit
11 in their seat and working on those kinds of skills.

12 Q And by CSI person, you're talking about
13 community support individual services?

14 A Yes. Yes.

15 Q Aspire covered the cost of these
16 non-billable services through seed funding; is that
17 correct?

18 A Yes.

19 Q Under Objective 1I, the report shows that
20 Aspire completed a baseline CANS assessment for three
21 students, correct?

22 A Yes.

23 Q What is a CANS assessment?

24 A It is the Child and Adolescent Needs
25 Assessment.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
237

1 Q Who at Aspire conducts that assessment?

2 A The clinician.

3 Q Can these assessments be provided at
4 school or via telehealth?

5 A Yes.

6 Q Can any student receive this assessment?

7 A No. This is a part of our behavioral
8 health assessment and reassessment process.

9 Q Are there any circumstances in which a
10 student would not receive a CANS assessment?

11 A No.

12 Q Further down, it says that nine students
13 were eligible for CANS reassessments, correct?

14 A Yes.

15 Q How does a student become eligible for a
16 reassessment?

17 A CANS have to be completed, I believe,
18 every three months. So these children would have
19 been up for a reassessment.

20 Q Then it says that only three students who
21 were eligible for a CANS reassessment actually
22 received a reassessment; is that right?

23 A Yes.

24 Q Why wouldn't all eligible students
25 receive reassessments?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
238

1 A I can't be certain, but it could have
2 anything to do with the child not being at school
3 when the clinician was there to complete the
4 reassessment, or the clinician not being able to
5 complete that assessment -- that reassessment in that
6 30-day time period.

7 Q Is there anything that would make it
8 easier for Aspire staff to complete reassessments
9 within the time period that they would like to?

10 A No.

11 Q What are some of the reasons why a
12 clinician is not able to complete a reassessment
13 within the 30-day window, apart from a child not
14 being present?

15 A It could be that, you know, another child
16 needed to be seen as an emergency or there was, you
17 know, some kind of a priority. It could have been
18 that the staff person wasn't able to be at the school
19 the number of days that it would take, you know, for
20 all of assessments to get completed.

21 Q If Aspire was able to hire an additional
22 clinician or two at this particular school, would it
23 maybe easier for clinicians to complete reassessments
24 within the 30 days?

25 A Yes.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
239

1 Q Let's turn to the next page, Aspire
2 007500. Under Objective 1J, the report shows that
3 none of Aspire's students were discharged during this
4 month, correct?

5 A Yes.

6 Q What does discharge mean?

7 A That means that they would have been
8 discharged from our services.

9 Q Are there any common reasons that
10 students receiving Apex services are discharged?

11 A Yes. One would be if the child has
12 achieved their goals and are no longer in need of
13 mental health services.

14 Another would be if we have had a lack of
15 engagement with the family, which really means that,
16 you know, it's only the clinical staff that is seeing
17 the child and we can't ever reach out to the family
18 or engage them in care. That's not true engagement
19 or treatment. So in those situations, you know,
20 after making every effort, we would discharge that
21 child.

22 Those are really the two reasons. Or if
23 the family declined services. If they don't -- they
24 no longer want services with us, then we would
25 discharge a child.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
240

1 Q Going back to the report, under Objective
2 2A, the report shows that Aspire served three
3 students for the first time during this month,
4 correct?

5 A Yes.

6 Q Under Objective 2B, three students
7 received first time referrals for Apex, correct?

8 A Yes.

9 Q Turning the page to Aspire 007501, under
10 Objective 2C, the report shows that three first time
11 referred students received behavioral health
12 assessments, correct?

13 A Yes.

14 Q What does first time referred student
15 mean?

16 A That means the very first time that
17 they've ever been referred for services with us.

18 Q Who at Aspire conducts the behavioral
19 health assessment?

20 A The clinician.

21 Q And these can be provided at school or
22 via telehealth?

23 A Yes.

24 Q And all children who enter Apex receive a
25 behavioral health assessment?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
241

1 A Yes.

2 Q We've talked a bit about functional
3 behavioral assessments in early conversation today.
4 Can you tell me what the difference is between a
5 functional behavioral assessment and a behavioral
6 assessment?

7 A I cannot. I don't know the real
8 difference.

9 Q Do you know what percentage of students
10 who enroll in Aspire receive a functional behavioral
11 assessment?

12 A I do not.

13 Q And as we've been going through this
14 report, is functional behavioral assessment a service
15 that is offered through Aspire?

16 A It is not.

17 Q Looking at Page Aspire 007501, am I
18 correct that one first time referred student received
19 a diagnostic assessment?

20 A Yes.

21 Q We've talk a very little bit about
22 diagnostic assessment so far. Can you remind me what
23 that involves?

24 A Sure. The diagnostic assessment is the
25 initial assessment that a child receives with a

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
242

1 psychiatrist or a psychiatric nurse practitioner. So
2 that's an initial appointment with a physician.

3 Q And as we've talked about before, those
4 are not available at school given the scheduling
5 challenges?

6 A Right.

7 Q Looking back at the chart, there were two
8 first time students -- first time referred students
9 receiving individual outpatient services this month,
10 correct?

11 A Yes.

12 Q And turning the page to Aspire 007502,
13 there was one first time referred student who
14 received a nursing service assessment, correct?

15 A Yes.

16 Q What is that?

17 A That is a -- it's a nursing assessment
18 that takes place prior to the psychiatric
19 appointment. So we take the height, weight, blood
20 pressure, just kind of do just a short little
21 physical of the child. And the nurse also assists
22 the physician with authorization for orders for
23 medication and those kinds of things.

24 Q Is that something that can take place at
25 the school or via telehealth?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
243

1 A Via telehealth, yes; at the school, no.

2 Q Under Objective 2D, the report shows that
3 no first time referred students received any Tier 3
4 services, correct?

5 A Yes.

6 Q So at the beginning of this school
7 report, a couple pages back, we identified that there
8 were ten total students who received services from
9 Aspire during this month. And we've been talking
10 about a number of different types of services that
11 were provided, and if we added up all of those
12 services, we would get over ten.

13 A Uh-huh.

14 Q So I'm trying to get a sense of how many
15 service sections each individual student receives.
16 Is that something that Aspire tracks?

17 A No.

18 Q Okay. So your reporting is about each
19 individual service that's provided?

20 A That's right.

21 Q And so there were ten unique students
22 that received services, one student could have
23 received maybe three different types of services?

24 A That's right. That's right.

25 Q And when we talk about some of the

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
244

1 different services that are listed in this report,
2 are there some services where it would be beneficial,
3 or even best, if a student had maybe three or four
4 sessions as opposed to just one session in a given
5 month?

6 A Yes.

7 Q What are some of the reasons why a
8 student might not be able to or does not receive
9 multiple sessions within a given month?

10 A One reason could be, you know, staff's
11 time in the school versus the capacity to see all the
12 children. It could also be, you know, pulling a
13 child during academic versus nonacademic time and,
14 you know, and really trying to be careful around
15 that. Those are the main reasons.

16 Typically, if children need to be seen
17 more often, then the staff are able to prioritize
18 that.

19 Q We've reviewed a lot of the different
20 services that Aspire provides. Do the services that
21 we've talked about help students manage their
22 behavioral health needs in their home, schools and
23 communities?

24 A Yes.

25 Q And how do you know that?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
245

1 A We know that by evidence of the children
2 that we do see. You know, they have fewer -- fewer
3 hospital stabilization visits. You know, they -- we
4 see a decrease in, you know, behavioral outbursts
5 and, you know, school referrals and those kinds of
6 things, and we see an improvement in their overall
7 mental health and well being. Their CANS scores
8 improve, typically. And report by the family that
9 the child is improving.

10 Q Earlier today, we discussed how
11 monitoring disciplinary referrals could help identify
12 students with behavioral health needs?

13 A Yes.

14 Q We just reviewed the November 2021
15 progress report for Lee County Middle School East,
16 and you testified that it is your understanding that
17 this is the format that Aspire is submitting to
18 report on each school that it services?

19 A Yes.

20 Q Did you see in this report any discussion
21 of disciplinary referrals?

22 A I did not, but I can't confirm that
23 they're not also submitting that other he report.

24 Q Absolutely. I just wanted to make sure
25 we're focused on this one.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
246

1 A Yes.

2 Q And, you know, feel free to look back.

3 A No, I did not see it, no.

4 MS. ADAMS: Okay. We can close
5 this very large document up for now.

6 I would like the court reporter to
7 mark this next exhibit as Plaintiff's
8 Exhibit 788.

9 (Plaintiff's (Oosterveen)
10 Deposition Exhibit No. 788 was marked for
11 the record.)

12 MS. ADAMS: Sorry for the pause
13 there.

14 MS. SHEPPARD: And this is 788?

15 MS. ADAMS: Yes.

16 BY MS. ADAMS:

17 Q Okay. So this is similar to the report
18 we were just looking at, but this is the
19 September 2020 monthly report. So this is still the
20 Center of Excellence format, and the Bates number is
21 R -- oh, I'm sorry. That might not actually be the
22 number. Let me make sure I get it in front of me.
23 The Bates number at the bottom is Aspire 003217.

24 So let's turn to -- toward the back of
25 this document. So let's go to Aspire 003228. And

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
247

1 there's a heading that says Mental Health Planning
2 and Evaluation Template. Are you familiar with that
3 template?

4 A Yes.

5 Q What is the purpose of this template?

6 A This is the reporting mechanism, I
7 believe, that was in place at the time.

8 Q Is it your understanding that DBHDD and
9 the Center of Excellence coordinated to create this
10 template?

11 A Yes.

12 Q Let's turn the page until we find item
13 13, which is on Page Aspire 003230. That item
14 states: Mental health service providers work with
15 the school to effectively identify youth who present
16 or are at risk for presenting emotional and/or
17 behavioral difficulties.

18 Is that right?

19 A Yes.

20 Q And there is a scale here where, one is
21 not at place -- not at all in place, and the other
22 side of the scale is six, fully in place; is that
23 right?

24 A Yes.

25 Q It appears that Aspire has marked number

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
248

1 five to indicate how in place this particular item
2 is; is that right?

3 A Yes. Hold on just a second.

4 Q Sure.

5 A This may be the -- actually -- the
6 schools actually complete this report, I believe.
7 Let me make sure. I think this is the report that
8 schools submit on an annual basis about the services
9 that are being provided for them.

10 Q And we can actually take a look at the
11 page marked Aspire 003221. If you find that page,
12 then it shows that Hollis Smith did submit this.

13 A Yes, you're right.

14 Q And this is for Robert H. Harvey
15 Elementary School, correct?

16 A Yes.

17 Q I apologize for the confusion.

18 A No, that's fine.

19 Q So is it your understanding that Hollis
20 coordinated with the school to submit this report?

21 A Yes.

22 Q So turning back to the page that we were
23 looking at, with item 13, we see that number five has
24 been marked for this particular item.

25 What is your understanding of how

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
249

1 students who are placed in GNETS are -- I'm sorry.
2 Hold on one second. Okay. So looking at this item
3 number 13, Aspire and the school have marked that
4 number five has been selected so that this particular
5 item is close to fully in place, but not 100 percent
6 fully in place.

7 Can you describe the process through
8 which you -- through which Aspire identifies students
9 who are presenting or at risk of presenting emotional
10 and/or behavioral difficulties?

11 A The clinical staff predominantly have a
12 close working relationship with the school
13 counselors. And so, if there is a youth that is in
14 question or is needing to be referred, there can be
15 that collaboration between the school counselor and
16 the clinician prior to a referral being submitted.
17 And there are other situations where, you know,
18 there's no need for that consultation at all. The
19 referral is just submitted.

20 Q Would you say that students who are
21 placed in GNETS or who are at risk of being placed in
22 GNETS are likely to present emotional and behavioral
23 difficulties?

24 A Yes.

25 Q And so the process you just described

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
250

1 would be applied for students who might be placed in
2 GNETS?

3 A Yes.

4 Q Can you remind me to what extent Aspire
5 uses data to identify students who are likely to
6 present emotional and behavioral difficulties?

7 A How we use data? Can you say that again?
8 I'm sorry.

9 Q Yeah. So this item is about mental
10 health service providers working to identify youth
11 who present or are at risk of presenting emotional
12 and/or behavioral difficulties, and I'm wondering to
13 what extent data is used to identify those students.

14 A Sure. So if we were to have a
15 consultation with a school counselor, of course we
16 would be talking about the number of office
17 referrals. We would talk about their grade point
18 average, out of school suspensions. And those
19 certainly would be data points that would be
20 considered in terms of referring a child.

21 Q Looking down further on the same page at
22 item 19, it states: Mental health prevention and
23 intervention services are empirically supported or
24 based on evidence of positive impact.

25 And Aspire and the school have marked

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
251

1 this as number four on the scale, so not fully in
2 place, but also not at all in place. It's somewhere
3 in the middle.

4 A Sure.

5 Q Can you tell me what evidence-based
6 services Aspire is using to support students with
7 behavioral needs?

8 A So that would be our cognitive behavior
9 therapy, our trauma-focused behavior therapy, play
10 therapy, the dialectical behavioral therapy, sensory
11 modulation. All of the therapies that we talked
12 about previously would be some of those modalities
13 that we would be utilizing.

14 And -- and I can speak to it being at a
15 four, and that is that we always believe that we can
16 have additional trainings and opportunities to learn
17 about how to provide early intervention and
18 prevention.

19 MS. ADAMS: Let's go ahead and go
20 off the record.

21 THE VIDEOGRAPHER: The time is
22 4:49 p.m. We're going off the record.

23 (Brief pause.)

24 THE VIDEOGRAPHER: The time is
25 5:12 p.m. We're back on the record.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
252

1 BY MS. ADAMS:

2 Q We spoke a while ago about PBIS, and you
3 mentioned that some of the schools that Aspire works
4 with have been implementing PBIS.

5 What are some of the benefits of working
6 in schools that implement PBIS?

7 A Some of the benefits in working in
8 schools that incorporate PBIS is that they are
9 consistently teaching all the children in the school
10 about different characteristics and traits that are
11 adaptive, helpful and that lead the children towards
12 success.

13 PBIS and, you know, the schools even that
14 my own children attend, like my kids come back and
15 they kind of talk about some of the skills that
16 they've learned as a result of those curriculums.

17 Q Do you know whether any of the schools
18 that Aspire services do mental health screenings for
19 all of their students?

20 A They do.

21 Q Do you know if certain schools do or is
22 that true for all of the schools that you work with?

23 A I cannot speak to all of the schools, but
24 I do know that some of the schools do provide the
25 mental health screenings. They provide health

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
253

1 screenings in general, and mental health is in with
2 that.

3 Q Do you know of any particular schools by
4 name that provide these screenings?

5 A I know that the -- several of the Lee
6 County schools provide those screenings because I've
7 actually completed them for my own children. Yes.
8 So the middle school -- the middle school and I
9 believe the elementary school does, as well.

10 Q Do you know if that's the East or West
11 Middle School?

12 A The West campus.

13 Q Do you know about the East campus?

14 A I am not sure.

15 Q We have talked about functional
16 behavioral assessments a few times today and we
17 talked about how that is not a service that Aspire's
18 staff currently provide.

19 Do you believe it would be helpful for
20 Aspire staff to receive training to provide those
21 assessments?

22 A I'm not sure. I'm not sure how it would
23 be beneficial in terms of the services that we
24 provide.

25 Q Okay. And what -- what are you not sure

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
254

1 about or why are you not sure if it would be helpful?

2 A I'm not sure of everything that comprises
3 a functional assessment, so I don't know the
4 different elements in it and if that's in line with,
5 you know, the types of services that we offer. It
6 may be something that a psychological service may
7 offer better than us, because we are a mental health
8 provider.

9 Q Okay.

10 MS. SHEPPARD: Counsel, did you
11 want me to know it's six hours?

12 MS. ADAMS: We're good now. Thank
13 you.

14 BY MS. ADAMS:

15 Q We also talked about applied behavioral
16 analysis?

17 A Yes.

18 Q And how that wasn't necessarily something
19 that folks were being trained on when you were first
20 coming into the field, but now it is more popular and
21 it is being offered in more schools.

22 A Yes.

23 Q Do you believe that Aspire would benefit
24 from hiring a behavioral analyst that's trained in
25 applied behavioral analysis?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
255

1 A Yes.

2 Q Do you know whether Aspire's Apex
3 contract precludes Aspire from making that hire?

4 A I don't know that it precludes us from
5 being able to hire a behavior analyst. It's not
6 something that has been in the budget line item
7 previously.

8 Q And I think we had talked about how there
9 are just not a ton of behavioral analysts --

10 A Right.

11 Q -- in this particular region and that can
12 be something that presents a challenge?

13 A Right.

14 Q But you do think it would be valuable for
15 Aspire to have someone like that on staff?

16 A Yes.

17 Q And why would that be helpful?

18 A To really work with children who may be
19 on the autism spectrum, and also to work with
20 children who have behavioral disorders where our
21 traditional therapeutic approaches have not been as
22 successful.

23 Q We have talked about Aspire's practices
24 in terms of fidelity with its data reporting and how
25 that's something that Aspire does internally.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
256

1 Is there anything that Aspire does to
2 ensure fidelity with regard to its evidence-based or
3 evidence-informed services in particular?

4 A Can you give me some examples?

5 Q I'm just wondering, given that you do
6 have this policy or practice in place for data
7 reporting, I'm wondering if there's anything similar
8 that's specific to your services around -- that are
9 evidence-based.

10 A Sure. Our personnel department does
11 track the clinical staff who receive additional
12 trainings. Well, they track staff, we have all
13 trainings, but they also track staff who've received
14 like additional specialty types of trainings. That
15 can include those evidence-based practices.

16 Q We spoke a bit about some students who
17 have been placed in GNETS and have received services
18 from Aspire, and we spoke about two individual
19 students in particular that you worked with, but you
20 mentioned that you did not observe certain services
21 being provided to those students in the GNETS
22 classroom; is that right?

23 A Right.

24 Q Have you ever observed a GNETS classroom
25 when students are in their -- in their learning

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
257

1 environment?

2 A No.

3 Q Do you know if any Aspire staff are ever
4 been in a GNETS classroom for --

5 A I'm not sure.

6 Q Sorry. I'm just going to make sure
7 that's clear for the record for the reporter. I
8 apologize.

9 Have you -- do you know of any other
10 Aspire staff who have ever been in a GNETS classroom
11 for classroom observation purposes?

12 A I'm not sure.

13 Q Thank you. We spoke earlier about some
14 of the collaboratives and meetings, the stakeholder
15 meetings that Aspire staff attend. And one meeting
16 that CSBs have been invited to is this PAC meeting
17 that DBHDD invited you and some other CSB experts to
18 attend.

19 And I believe you mentioned that the LIPT
20 meeting was a focus of the work of the PAC and how
21 basically it had a bit of a resurgence and that was
22 something that was accomplished through those PAC
23 meetings. Am I remembering that correctly?

24 A Yes.

25 Q Can you tell me more about what compelled

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
258

1 that effort to revitalize LIPT? Why was that an
2 important thing to do?

3 A I think the -- the -- the real goal was
4 for the system of care, in general, to -- to become a
5 little bit more cohesive, and one part of that is the
6 re -- the revitalization of the LIPT.

7 So I think -- and this is just, you know,
8 my observation. I think the Department of Behavioral
9 Health had recognized that the system of care,
10 Georgia's system of care, had become fragmented in
11 some ways. Meaning that the different child-serving
12 entities were siloed in how they served children.
13 And so one of the ways of really bringing those
14 entities back together again was through LIPT.

15 Currently, one of the other initiatives
16 is really to get the local mental health provider
17 connected with an FQHC, which is that healthcare
18 entity. That's another way of really kind of getting
19 that system of care connected again.

20 Q We spoke a bit about how some of the work
21 that Aspire does, especially in kind of collaborative
22 type settings, are non-billable services.

23 Is the time that Aspire staff spend in
24 the LIPT meetings something that could be billed to
25 something like Medicaid?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
259

1 A That -- that is a non -- traditionally
2 it's a non-billable service.

3 Q Okay. And is it your understanding that
4 DBHDD has established that to be the practice for
5 that particular service?

6 A I'm sorry. How do you mean?

7 Q So is it your understanding that the
8 reason why Aspire staff cannot bill time in LIPT
9 meetings is because DBHDD does not allow the staff to
10 bill that time?

11 A Not that DBHDD won't, but that it's not
12 considered a Medicaid billable service.

13 Q Okay. I believe you mentioned someone
14 named Angie Williams earlier who serves as a system
15 of care coordinator?

16 A Yes.

17 Q What are some of the benefits of
18 participating in a system of care kind of approach?
19 What are some of the benefits for the actual
20 provider?

21 A The benefits from a provider standpoint
22 is that we develop a closer working relationship with
23 those different entities. When we have barriers with
24 any of those service providers, then we can go to
25 them and have a better ability to remove those

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
260

1 barriers to better serve the children and their
2 families.

3 And in this instance with having that
4 system of care coordinator, she is kind of the
5 liaison by which all of those entities can come to
6 her, and then she can also provide information about
7 all of our services and also can provide educations
8 and trainings, as well.

9 Q Okay. And what are some of the benefits
10 of that system of care approach for the young person?

11 A It gives that young person a higher level
12 of access to care, a higher level of linkage to the
13 different resources that they and their families may
14 need. It offers advocacy, because sometimes those
15 other providers stigmatize or have conflicting
16 relationships with the children and their families.
17 And so we have the offering of being able to advocate
18 for and on behalf of that child and their family
19 members.

20 Q Does Angie have any communication with
21 GNETS in her role as system of care coordinator?

22 A She would have communication through any
23 trainings that they request and any community
24 stakeholders meetings that she's in attendance with.
25 So she's had some in those ways.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
261

1 And then Hollis Smith has some
2 communication through our school-based services with
3 Dr. Kerri Miller, who is the director of the region.

4 Q Okay. We have talked about the term
5 community based throughout the day, and I just want
6 to clarify.

7 When you say community based, are you
8 saying that that is referring to services that are
9 not provided in a clinical setting?

10 A That's right.

11 Q In terms of the LIPT meetings, do you
12 know how many of those meetings have been held this
13 calendar year?

14 A I do not.

15 Q Do you know if any of those meetings have
16 been held for this calendar year?

17 A Yes.

18 Q Do you know if there have been more than
19 one?

20 A I'm not sure.

21 Q We also talked about a program called
22 Evolve, I believe?

23 A Yes.

24 Q Do you know approximately how many
25 service -- excuse me.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
262

1 Do you know approximately how many
2 children have been served in that program?

3 A Since the beginning of the program, I'm
4 not certain. That program started in 2016. But I
5 believe we currently have around 30 young people who
6 are enrolled in that program.

7 Q Okay.

8 A And that's an approximation.

9 Q Does that number, 30, seem about the
10 average that you've had since the program started in
11 2016?

12 A Yes. It is intended to keep a smaller
13 case load because the youth being served are higher
14 acuity.

15 Q Are there any particular medical partners
16 that are prescribing medications for this program?

17 A We have a psychiatrist who is the medical
18 team lead for that program.

19 Q We talked about how sometimes students
20 who receive Apex services and are enrolled in Aspire
21 sometimes need to be placed in a higher level of
22 care, and you mentioned that sometimes, in rare
23 circumstances, residential placement is an option.

24 Are there specific criteria that are
25 required to be placed in residential?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
263

1 A I'm not exactly sure of all of the
2 specifics, but they would have to have multiple
3 crisis stabilization stays; they would, you know,
4 have to have some -- what we consider like functional
5 difficulties, which would mean that there's not
6 stability in the home in terms of their ability to
7 stay in the home safely, and some other disruptions,
8 perhaps, like in the school setting.

9 So those are typically requirements, but
10 I'm not sure of the actual admission criteria right
11 now.

12 Q Is it your understanding that a child
13 could be placed in a residential placement for any
14 reason other than risk of harm to themselves or to
15 others?

16 A No.

17 Q So it's your understanding that that is
18 the primary reason that they would be placed --

19 A Right. It is not safe for them to remain
20 in -- you know, in their home and in the community by
21 which they are living.

22 Q We talked a bit about your actual direct
23 service to students in schools, and we talked a
24 little bit about self-contained classrooms. And I
25 know you weren't necessarily able to recall if you

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
264

1 had had a ton of time working with students who were
2 in those types of settings. Is it -- was it at the
3 time -- sorry. I'll start over.

4 When you were providing direct services
5 to students in schools, was it your practice to
6 observe students who had serious behavioral needs in
7 the classroom?

8 A I have done that, yes.

9 Q We talked about the importance of Aspire
10 staff meeting with school leadership, like senior
11 administrator type folks. And I just wanted to make
12 sure I understood who, in particular, at Aspire is
13 meeting with school leadership.

14 What are the titles of those Aspire
15 staff?

16 A So when we are first going into a school,
17 like introducing the school-based mental health
18 services, we are requesting a meeting with the
19 principal of the school and the school counselor.
20 And then, when we begin to educate the staff about
21 the services themselves, then that would include all
22 of the faculty and staff, including the teachers and
23 any other specialists in the school, as well.

24 Q And during all of that communication, who
25 at Aspire is involved in those conversations?

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIAFebruary 23, 2023
265

1 A So it would -- initially, it would be
2 the -- the Apex coordinator, and then when that
3 orientation of all of the staff is there, it would be
4 the Apex coordinator and the clinician who's
5 providing the services in that school.

6 Q Okay. And I apologize if we already
7 covered this, but I just want to make sure I'm
8 remembering correctly.

9 The Apex coordinator is Hollis Smith.

10 A Yes.

11 Q And what are her specific credentials
12 again?

13 A So she -- she is working towards a
14 Master's in counseling, yes.

15 Q Okay. And does she have any other
16 credentials besides that?

17 A No.

18 Q And as Aspire is establishing
19 relationships with the school, if that school has a
20 PBIS structure in place, which Aspire staff are
21 participating in those kinds of PBIS-specific
22 conversations?

23 A It would be the clinical staff person,
24 the clinician who is providing services at the
25 school.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
266

1 Q Okay. Going back to my question earlier
2 about classroom observation again.

3 So is it Aspire's regular practice for
4 the staff who provide direct student-based mental
5 health services to conduct classroom observations of
6 students?

7 A It depends on each child's circumstances.
8 So if, for instance, a child is having behavioral
9 disruptions in the classroom and the teacher is
10 struggling with ways to manage that child, then
11 absolutely it is practice for the staff to do that.
12 If the child, for instance, is struggling with
13 generalized anxiety or they're covering from grief,
14 they've had death in the family, then that not
15 necessarily would be something that would be
16 required.

17 MS. ADAMS: Okay. We can go off
18 the record.

19 THE VIDEOGRAPHER: The time is
20 5:33 p.m. We're going off the record.

21 (Brief pause.)

22 THE VIDEOGRAPHER: The time is
23 5:34 p.m. We are back on the record.

24 MS. ADAMS: Those are all the
25 questions that I have for you. I really

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
267

1 appreciate you spending this day with us
2 and --

3 THE WITNESS: Thank you.

4 MS. ADAMS: -- and it's just been
5 such a pleasure getting to know about all
6 the amazing work you do.

7 THE WITNESS: Thank you.

8 MS. ADAMS: So thank you so much
9 for your time.

10 THE WITNESS: Thank you.

11 MS. ADAMS: Melanie, I'm turning it
12 over to you.

13 MS. JOHNSON: Thank you so much. I
14 don't have any questions for you, so you
15 are all finished.

16 THE WITNESS: Thank you.

17 MS. JOHNSON: Thank you.

18 MS. ADAMS: Okay. We can close the
19 record.

20 THE VIDEOGRAPHER: Counsel, just
21 before we do go off the record, I just
22 wanted to go over, does anyone need video
23 or transcript orders?

24 MS. ADAMS: We need both, and we
25 have a standing order.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
268

1 MS. COHEN: We have a standing with
2 them.

3 THE REPORTER: Ms. Johnson?

4 MS. JOHNSON: The State does not
5 need video, but we'll take an eTrans.

6 THE REPORTER: Thank you. And
7 exhibits, Ms. Johnson?

8 MS. JOHNSON: Yes, please.

9 THE VIDEOGRAPHER: Just to close
10 the video, with no further questions, the
11 time is 5:35 p.m. on February 23rd, 2023
12 and we're going off the record.

13
14 (Thereupon, the deposition was
15 concluded at approximately 5:35 p.m.)
16
17
18
19
20
21
22
23
24
25

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
269

D I S C L O S U R E

The following representations and disclosures are made in compliance with Georgia Law, more specifically:

Article 10(B) of the Rules and Regulations of the Board of Court Reporting (disclosure forms).

OCGA 9-11-28(c (disqualification of reporter for financial interest). OCGA 15-14-37(a) and (b) (prohibitions against contracts except on a case-by-case basis.)

I am a certified court reporter in the State of Georgia. I am a subcontractor for Esquire Deposition Solutions. I have been assigned to make a complete and accurate record of these proceedings.

I have no relationship of interest in the matter on which I am about to report which would disqualify me from making a verbatim record or maintaining my obligation of impartiality in compliance with the Code of Professional Ethics.

I have no direct contract with any party in this action and my compensation is determined solely by the terms of my subcontractor agreement.

This 7th day of March, 2023.

Tanya L. Verhoven

Tanya L. Verhoven-Page,
B-1790.

LISA OOSTERVEEN
UNITED STATES vs STATE OF GEORGIA

February 23, 2023
270

C E R T I F I C A T E

STATE OF GEORGIA:

FULTON COUNTY:

I hereby certify that the foregoing deposition was reported, as stated in the caption, and the questions and answers thereto were reduced to written page under my direction, that the preceding pages represent a true and correct transcript of the evidence given by said witness.

I further certify that I am not of kin or counsel to the parties in the case, am not in the regular employ of counsel for any of said parties, nor am I in any way financially interested in the result of said case.

Dated this 7th day of March, 2023.

Tanya L. Verhoven

Tanya L. Verhoven-Page,
Certified Court Reporter,
B-1790.